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International Court of Justice

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Official transcript of the International Military Tribunal, in the matter of: The United States of America, the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics, against Hermann Wilhelm Goering, et al, Defendants, sitting at Nurnberg, Germany, on 12 February 1946, 1000-1245, Lord Justice Lawrence, presiding.

THE PRESIDENT: Are you going to recall the witness who was being called yesterday, Fieldmarshall Paulus, are you not, for the defendants' counsel to have the opportunity of questioning him? Will you do that now.

DR. NELTE (Counsel for defendant Keitel): Yes, if it is convenient to the Tribunal, the witness can come up.

(FIELDMARSHALL PAULUS resumed the stand.)

THE PRESIDENT: Fieldmarshall Paulus, I want to remind you that you should pause after the question has been asked you before you answer it in order that the translation shall get through. Do you follow what I mean?

THE WITNESS: I have understood.

CROSS EXAMINATION

BY DR. NELTE:

Q I would like to ask several questions. On the 3rd of September, 1940, you came as General Quartermaster I to the High Command of the Army; is that correct?

A That is correct.

Q Who was at that time the High Command of the Army?

A It will be very well known to you that at that time the Commander-in-Chief of the Army was Fieldmarshall von Brauchitsch.

Q I believe that the phraseology that you have used is not correct because I did not put this question for any other reason than just to explain the situation to the people who are assembled here. It is known to us but maybe not to the Tribunal. Who was at that time the Chief of Staff of the Army?

A It was Colonel General Halder.

Q Were you as General Quartermaster No. I the representative of the

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Chief of Staff?

A I was the deputy of the Chief of Staff for these cases where he told me to do so and, besides, I had various tasks with which he charged me.

Q In this case were you the special referent for the plan which we have later known as "Plan Barbarossa"?

A Yes, to the extent as I have told you yesterday.

Q Fieldmarshall Brauchitsch, who was then Chief of Staff, has said in an affidavit which has been presented by the prosecution about the treatment of military plans--he has made a statement. With the permission of the Tribunal, I would like to ask you to tell me whether this statement by Fieldmarshall von Brauchitsch is also your opinion.

"If Hitler had decided to use military pressure for his political aims or military means of power, the Commander-in-Chief of the Army, if he had anything to do with it, first received orally a sort of orientation or a definite order."

Is that your opinion also?

A I could not say. I have no knowledge of that.

Q Col. Gen. Halder, who was your immediate superior, has said about the handling of such military operational things in an affidavit, which also has been submitted by the prosecution, the following:

Military affairs were the responsibility of the Commander-in-Chief of the Wehrmacht and the parts of the Wehrmacht which were immediately under him, that is army, navy, and air force.

Is that your opinion likewise?

A I may ask you to repeat this once more because I could not understand exactly what you meant.

Q It is about the question: Who were the military persons who were responsible to Hitler in large planning? And in respect to that, von Brauchitsch said what you have just said and Halder said the following:

Special military affairs were to be handled by the parts of the Wehrmacht which were directly the responsibility of the Commander-in-Chief of the Wehrmacht, that is to say, the Army, the Navy, and the Luftwaffe.

Is that so?

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A I have witnessed it myself. We received the orders about military measures by the Commander-in-Chief of the Wehrmacht. Such was the Directive No. 21. I thought the people responsible were, first, the superior military advisors of Hitler.

Q If you have seen Directive No. 21, then you must also know who signed it. Who was that?

A As much as I can remember, that was signed by Hitler, furthermore, by Keitel and Jodl initialed it; that is to say, as much as I can remember.

Q But, at any rate, signed by Hitler as all directives; is that correct?

A At any rate, most of the directives, unless they were signed by other people in his name.

Q In other words, may I conclude that the man who gave the order was the Commander-in-Chief of the Wehrmacht, that is to say, Hitler?

A That is correct.

Q From the statements of von Brauchitsch and Halder we can see, in my opinion, that the General Staff of the Army with its large machinery was to work out ideas which Hitler conceived, work them out in detail? Don't you believe that?

A That is correct. They had to execute the orders which were given them by the Commander-in-Chief.

Q It is clear that the High Command, that is the Commander-in-Chief, was given these orders. There was in all planning, as I can see from your statement also, in the execution of such plans there was a close collaboration between Hitler as Commander-in-Chief of the Wehrmacht and the General Staff of the Army; is that correct?

A This cooperation exists between the High Command and all parts which are charged to carry out the orders of the Commander-in-Chief.

Q From your explanation, I believe I can conclude that the plan which you found on the 3rd of September, 1940, that you have developed that, and that then, after a certain measure of completeness was reached, it was presented to the Commander-in-Chief personally or through Col. Gen. Halder?

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A The detailed completion of the plan was presented by the General Staff or by the--

Q That is, it had to be accepted by Hitler or refused?

A Yes.

Q Did I understand you correctly yesterday that you said you had already in the fall of 1940 understood that Hitler wanted to attack the Soviet Union.

A I have said yesterday that the preparation of that plan of operations was the theoretical preparation for an attack.

Q But at that time already you thought that it was Hitler's intention, didn't you?

A From the way in which this task was started one could see that after the theoretical preparation, a practical--

THE PRESIDENT: You must go slower.

Q Furthermore, you have said yesterday that no news of the Abwehr had been received by the Abwehr that the Intelligence which would prove that there were any intentions by the Soviet Union to attack.

A Yes.

Q In the circle of the General Staff of the Army did anybody speak about these things?

A Yes, very frequently. They had serious doubts about it, but there wasn't any news, in fact, about any preparations for war on the side of the Soviet Union; at least I didn't know anything about that.

Q So you were firmly convinced that it was a straight attack on the Soviet Union?

A The signs for it did not exclude that.

THE PRESIDENT: The witness must speak slower.

Q The witness has said that, if I understood correctly, there were signs which did not exclude the conclusion that an attack was prepared.

A The order for the execution of this theoretical study of the conditions for attack was considered not only by myself but also by other people, other informed people, as the first step for the preparations for an attack, that is to say, an aggressive attack on the Soviet Union.

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Q In realizing these facts, have you or the General Staff of the Army or the High Command of the Army made any protests to Hitler about it?

A Personally I do not know in what form and whether the Supreme Commander of the Army has made any protests.

Q Have you, yourself, protested to Col. Gen. Halder or von Brauchitsch? Have you spoken about your personal doubts?

A If I judge correctly, then I believe that I am supposed to be here as a witness for the events with which the defendants are accused. I ask the Tribunal, therefore, to relieve me of the responsibility of answering these questions which are directed against myself.

Q Fieldmarshall Paulus, you don't seem to know that you also belong to the circle of the accused because you belonged to the organization of the High Command which is indicted here as criminal.

A And, therefore, since I believe that I am here as witness for the events which have led to the indictment, I have asked to be relieved of the responsibility of answering these questions which concern myself.

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DR. NELTE: I ask the Tribunal to decide.

THE PRESIDENT: The Tribunal considers that you must answer the questions that have been put to you up to date.

THE WITNESS: Then may I ask for a repetition of the questions, please?

Q. I have asked you, Fieldmarshall, whether, since you realized that there were serious doubts, you have talked to your chief, Halder or von Brauchitsch, about these things?

A. I cannot remember having talked to the Supreme Commander of the Army about it, but with the Chief of the General Staff Col. Gen. Halder.

Q. Was he of the same opinion?

A. Yes, he was of the same opinion, that is to say, of the opinion of great concern for such a plan.

Q. For military or moral reasons?

A. For several reasons, both military and moral.

Q. It is certain then that you and the Chief of Staff von Halder realized these facts which would have stamped the war against Russia as a criminal attack and just the same that you have done nothing about it? In your statement you have said that later you became Commander-in-Chief of the Sixth Army; is that right?

A. Yes.

Q. With knowledge of all these facts you have accepted the command of an army which was to push against Stalingrad. Did you have any serious doubts to be made a tool of that attack which in your opinion was a criminal one?

A. As the situation at that time presented itself for the soldier in connection also with the extraordinary propaganda which was put into play, I had at that time, as so many, believed that I had to do my duty toward my fatherland.

Q. But you knew about the facts which were against that opinion?

A. The facts which became clear to me afterwards, due to my experiences as Commander of the Sixth Army which found the climax at Stalingrad, well, these facts I didn't know at that time. Also, about that criminal attack, that knowledge came later, when I thought about all the details because before I

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could only see part of it.

Q. Then I have to consider your expression "criminal attack" or any other expressions for the war mongers -- I have to consider that as something that you found out later?

A. Yes.

Q. And I may say then that in spite of your having serious doubts and knowledge about the facts which marked the war against Russia as a criminal action of aggression, that in spite of your knowledge you have considered it your duty to take the command of the Sixth Army and to hold Stalingrad until the last moment?

A. I have just explained that at that time, when I took over the command of the Sixth Army, I did not see the extent of the crime which was considered in the beginning and execution of this war; that I did not see the entire extent of it and could not see it as my experiences as Commander of the Sixth Army have shown me later.

Q. You speak of the extent, but the fact is that you knew the causes. Maybe you were one of the few that knew them. You have not mentioned that.

A. I knew the introduction as a war of aggression. At that time, and, as it was the attitude of the Officers' Corps, I found it in the fact that the policy of the Reich was based on power politics and it was nothing unusual.

Q. So you agreed to these ideologies?

A. No, not the tendency which was to be seen later, but I did not exclude that also the fate of the country was based upon power politics. It was a ~~mistake that~~ at that time in the Twentieth Century only the democracies and the realization of the nationality principle were the important factors.

Q. Would you grant, also, the others good faith who were not so near to the sources, that they just wanted the best for their fatherland?

A. Yes, I do.

BY DR. SAUTER (Counsel for defendants von Schirach and Funk):

Q. Yesterday you mentioned that you consider as the guilty ones the Hitler Government; is that correct?

A. Yes.

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Q. In your written deposition of the 8th of January, '46, as it says here, in a prison camp, there is nothing about that; at least, I have not found anything about it.

A. This letter has nothing to do with it. That is a letter to the Soviet Government, in which I explained several questions which have come up at the Sixth Army in Russia and several of my own experiences were mentioned here.

Q. In this letter of the 8th of January, '46, you said explicitly:

"Today, where the crimes of Hitler and his helpers are judged, I found myself obliged to tell you everything which I have known and which may serve as proof for the guilt of the crimes in the Nurnberg trials and to present all that to the Soviet Government."

In spite of that, in this written declaration there is nothing about it.

THE PRESIDENT: If you are cross-examining this witness on this letter, you must put the letter in evidence, the whole letter.

DR. SAUTER: That is the statement which the witness has given.

THE PRESIDENT: If you are cross-examining him on the letter and put the letter to him, you must put the letter in evidence. You have a copy of the letter?

DR. SAUTER: Yes. It is the statement which the Soviet prosecutor yesterday put up to the witness and in regard to which the witness made the statement that he considers it correct and he will repeat it.

THE PRESIDENT: I wasn't sure whether it was actually put in or nor or whether it was withdrawn upon the promise to produce the witness. Is the letter actually in?

DR. SAUTER: But the witness has said, after the prosecutor asked him, the he will repeat that statement. In fact, he has repeated it.

THE PRESIDENT: Mr. Willey, has the letter been put in?

MR. WILLEY: It has not been put in.

THE PRESIDENT: Very well, you can go on cross-examining about it, but the document has to be put in. That is all.

DR. SAUTER: Yes.

Q. Now I would like to know, witness, what do you mean by "Hitler

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Government"? Do you mean the Reich Cabinet, or what exactly do you mean?

A. I mean everyone who is responsible.

Q. I would like you to answer the question more precisely.

A. In my statements yesterday I have only explained what I have seen myself, what I have experienced myself. About the individual personalities of the government I had no intention to make any statements because that would not be within my knowledge.

Q. But you spoke about the Hitler Government, didn't you?

A. I just mean the fact of the Hitler Government.

Q. That means, first, the Reich Cabinet, doesn't it?

A. Yes, inasmuch as it is responsible for the directives given by the government.

Q. For this reason I would like to know the following:

The defendant Funk, who is sitting over there, was also a member of the Reich Cabinet and the defendant von Schirach is also counted as one member of the Reich Cabinet by the prosecution. Do you know anything about the fact whether the defendant Funk and the defendant von Schirach as, for instance you, have known anything about these plans of Hitler?

A. I don't know.

Q. Do you know whether during the war, since you were at the OKW, there were any meetings of the Cabinet?

A. I don't know that either.

Q. Do you know that Hitler in the interest of secrecy of his warlike plans has even ordered that conversations between himself and his military advisors, the members of the Reich Cabinet, not be present?

A. I don't know about that.

Q. Didn't it come to your knowledge by Jodl or from Keitel that Hitler even prohibited that many members of the Reich Cabinet should be present at such military conferences?

A. I don't know anything about that at all.

Q. Another question: After Stalingrad was encircled and the situation had become hopeless, there were several telegrams of devotion to Hitler from

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Stalingrad; do you know anything about that?

A. If you speak of telegrams of devotion, I only know of the end, where it was tried to give news about the catastrophe that had happened there and to try to find a science for all the suffering and dying of so many soldiers and that, therefore, had been depicted as heroism in the telegram. I am sorry that at that time -- and that came from the entire situation -- that I had to let that pass and that I have not stopped it.

Q. The telegrams were sent by you?

A. I do not know to which telegrams you are referring, with the exception of the last one.

Q. Several telegrams in which there was promised that you would hold out until the last man, those telegrams which the German people could not understand. They were very much against them. They should have had your signature,

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A: I would like to have them presented to me because there is nothing known to me about them. I don't know anything about them.

Q: Then you don't know anything about them?

A: These telegrams of which you speak, with the exception of the very last.

Q: Do you have any idea what was in the last telegram?

A: In the last telegram there was a short description of what the army had done, of the achievement of the army, and it was pointed out that this did not mean to capitulate, and that should be an example for the future.

Q: The answer was your promotion to General Fieldmarshall?

A: I don't know that this would have been the answer.

Q: But you were promoted to General Fieldmarshall, and you still have that title because the statement which I have submitted to the Court is signed "Paulus, General Fieldmarshall".

A: Well, I have to say .... Do you mean this statement?

Q: Yes, this statement.

A: Yes, I had to take that title which was conferred upon me.

Q: In this statement which I have submitted to the Court as proof there is the last sentence:

"I bear the responsibility for the fact that - - with regard to the Order of 14 January '43 about turning over of the prisoners, that is the Russian prisoners to the Russians - - that I have not watched that, and for the deaths which have resulted from that I am responsible and, furthermore, that I could not do more about taking care of the prisoners". I would like to hear your statement about that. In that detailed letter why didn't you mention the one hundred thousands of German soldiers which were under your command and who lost under your command their freedom, their health, and their life? There is no word about that.

A: That is not the question in this letter. This letter to the Soviet Government was concerned with what happened to the Russian population in the area of Stalingrad and the Russian prisoners of war. In this place I could not say anything about my soldiers, of course not.

Q: No word?

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A: No, that had to be done at a different place. Of course it is so that all the operational orders which have led to the conditions of Stalingrad, that all these orders, although I have protested against them, around the 20th of January, as I said, the conditions had reached a measure of misery and of suffering by cold, hunger and epidemics, that the conditions have become unbearable and that a continuing of the fighting would be beyond human possibilities. The answer was "Capitulation is impossible. The Sixth Army will do its historic duty by Stalingrad until the last man and to facilitate the straightening out of the lines at the Eastern front."

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Q And that is why you have collaborated in the continuation of what you call the crime, after your own description that everything from the very beginning was clear to you as a crime?

A I didn't say that, that it was clear to me from the very beginning as a crime, but that after I looked at it later I had that impression, because my impression resulted from my experience at Stalingrad.

Q I would not like to know at the end. Didn't you know from the very beginning, quite really, when you were charged to work on plans for the attack against Russia, and especially for certain tasks -- didn't you know from the very beginning that this attack on Russia could only be done under violations of international law, to which Germany was bound?

A Yes, by violation of treaties, but not in those conditions I saw later.

Q I asked whether it was clear to you that this plan could only be executed by violation of treaties.

A It is clear that an attack of that kind could only be done under violation of the treaty which existed with Russia.

DR. SAUTER: I have no more questions. Thank you.

(Dr. Exner took a position before the microphone.)

THE PRESIDENT: Doctor Exner, I have already told the witness, and defendants' counsel have been told over and over again, that it is of the utmost importance that they should ask their questions slowly, that they ask one question at a time, and that they should pause between the question and the answer and between the answer and the next question. Will you try to observe that rule?

CROSS-EXAMINATION BY DR. EXNER (Counsel for Jodl):

Q Witness, in September of 1940 at the OKW you were charged with the execution of a plan of an operation against Russia, that is, to continue work on a plan which existed already. Do you know about how strong the German forces in the East were at that time?

A I can only clarify that I didn't know in the OKH; that is the High Command of the army, not of the Wehrmacht. I don't know any more how strong

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the forces in the East were at that time. It was at a time shortly after the end of the campaign against France.

Q You don't know about how many divisions were at that time for the protection of the German border on the East?

A No, I cannot remember that.

Q In February of 1941 our transport to the East began. Can you say how strong at that time the Russian forces were along the German-Russian demarcatic line and the Rumanian-Russian border?

A No, I cannot say that. The information which came about the Soviet Union and their forces were so extraordinarily scarce and incomplete that for a long time we had no clear picture at all.

Q But didn't Halder at that time talk to the Fuehrer frequently about the strength and deployment of the Russian forces?

A No. That is possible, but I cannot remember it, because I had nothing to do with these questions at that time -- with the theoretical development of our ideas. In September the Operations Department of the army took care of it.

Q At this time you had manuevers?

A That was in the beginning of December.

Q Then, you probably used as a basis of these maneuvers information you had about the plans of the enemy?

A That was just what we thought about the strength.

Q You have collaborated very intensively on the working out of that plan. You have tried it out by maneuvers. Tell me what was the difference between your work and Jodl's at that time?

A I don't think I am able to judge that. I don't understand.

Q That was General Staff work, wasn't it?

A Yes, it was General Staff work, with which I was charged by the Chief of Staff.

Q Yes, and so was the activity of Jodl as Chief of the Wehrmacht Fuehrungstab?

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A The difference is that he had the entire picture from the point where he was, whereas I could only see a small section, only that which I needed for my work, and that is all the information I received.

Q But the activity in both cases was one of General Staff preparation for the war?

A Yes.

Q I would also be interested to know something about Stalingrad. In your written statement, or declaration, you have said that Keitel and Jodl were guilty with regard to the prohibition of capitulation, which had such tragic consequences. How do you know that?

A I just wanted to say it was the High Command of the Wehrmacht who was responsible for that order. It has the responsibility, and it makes no difference whether it was one of the immediate persons. At any rate, they are responsible, their office as such.

Q At any rate, you don't know anything about the personal participatic of any one of these two gentlemen? You know only that the OKW --

A The OKW, which is represented by these persons --

THE PRESIDENT (Interpolating): Mr. Interpreter, do not say each time "question" and "answer", but just give the words of the question and the words of the answer. Putting in the words "question" and "answer" takes up your time and makes it more difficult, I think. I am not certain.

BY DR. EXNER:

Q Why when the situation at Stalingrad was so hopeless and terrible didn't you, in spite of the order by the Fuehrer to the contrary, try to give up?

A Because at that time it was represented to me that by holding out with the army which I led the fate of the German people would be decided.

Q Do you know that you enjoyed the confidence of Hitler in a special measure?

A I don't know about that.

Q Do you know that he had already decided that you would become the successor to Jodl if the Stalingrad Operation would be successful, because he wouldn't like to work with Jodl any more?

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A I don't know about that in this form, only there was a rumour late in the summer or early in the fall of 1942 that a change was planned in the leadership. That was a rumour which theChief of Staff of the Luftwaffe told me, but I didn't get any official information about that. There was other information that I should be relieved of the command of that army and should be used to lead a new army group along the Don River.

Q Do you remember the telegram which you sent to the Fuehrer when you were promoted to the rank of Field Marshal at Stalingrad?

A I didn't send a telegram then. After my promotion I did not send a telegram.

Q Haven't you thanked the Fuehrer in any way?

A No.

Q That is quite contrary to statements which other people have made. You are said to be a teacher at the Military Academy at Moscow.

A That is not right.

Q Did you have another position in Moscow?

A I was never in Russia before the war, but now, of course, I have been in a prisoner of war camp, like my other comrades in Russia.

Q Were you a member of the German Freedom Committee?

A I was a member of a movement of German men, soldiers of all ranks, and men of all classes, who have made it their aim to warn the German people the last moment before the abyss, and to call for an attack to lead to the end of the Hitler government that brought all that misery to the German people. I have done that with the proclamation of the 8th of August, 1944.

Q August 1944?

A Yes.

Q Did you do anything about that before?

A No, I did not.

DR. EXNER: Thank you.

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DR. LATERNSER: Dr. Laternser, counsel for the General Staff and the OKW, High Command of the Wehrmacht.

CROSS-EXAMINATION BY DR. LATERNSER:

Q Witness, did you know when you took over your office as O.Q.I. that these preparations which Major General Marx had begun, and which you have continued, were intended only for an eventual case?

A One could think so, of course, but very soon in the course of the work things appeared which made it look very probable that the theoretical preparations would find their practical use, because in connection with this plan of operations, in which from the very beginning we were thinking in terms of using the Roumanian area -- at that time we saw the dispatching of the first military mission just into that area for which the theoretical preparations for an offensive into Russia had been made; so by and by more impressions of that kind led to the opinion that this was a plan which should be executed.

Q The reason for my question is this: I believe the date which you mentioned during which the plan existed already, since the fall of 1940, is a little early, isn't it?

A The materials which I was given for that plan I explained yesterday. On the 3rd of September they were there, and on the basis of this information everything was developed and everything went like that in fact. I mean this: that first this plan was considered or conceived for an eventual case, and then at a later date, after a decision had been taken, it was used. In looking back, it works well together, the theoretical preparation and then the practical preparation and then the execution.

Q Do you know Directive No. 18 of November 1940?

A I cannot remember it.

DR. LATERNSER: Mr. President, I refer now to a document which has already been submitted by the American Prosecution, No. 444-PS.

Q I submit it to you, Mr. Witness. Page 8 is the one I am referring to (handing a paper to the witness).

A I cannot remember that I have ever seen this.

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Q Witness, would you like to repeat that answer?

A I cannot remember to having known anything about this letter before at any time.

DR. LATERNSER: To inform the Court I am going to quote the passage -- it is very short -- which I have just shown to the witness. It is page 8 of the Document 444-PS, this paragraph. I quote:

"5. Russian political conferences with the aim of clarifying the attitude of Russia for the near future have been started."

Q Witness, after you have seen that passage you will have to be of my opinion that the time at which the decision was taken to attack the Soviet Union must have been later than the time you told us yesterday.

A I can only say from my personal experience and my own opinion as I look back now that when I follow the whole development there was a clear plan from the beginning, the conception of that plan on 3 September 1940, and then the directive 21 of December until its execution. Just at which precisely measurable date the decision was taken I couldn't tell you.

Q Did you know that in 1939 the Soviet Union in the opinion of German military experts marched into Poland with very strong forces? There must have been opinions of military experts about the strength of the invasion?

A I didn't know anything, only about the fact, but I have never heard anything about the size of the forces that were sent into Poland. I have never heard anything about that.

Q Do you know that before the German deployment on the Eastern border much stronger Soviet forces had been deployed along that border, especially very strong Panzer forces in the area of Bialystok?

A No, in that form I have never known about it.

Q Weren't the first divisions from West to East transferred only after strong Soviet forces were standing along the Eastern border?

A About relations between the moving of troops from West to East -- with the practical execution of the plan I don't know anything, because I had nothing to do with the practical execution. First of all, in the months of April and May I was only a very short time present in the High Command of the Army.

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Q Witness, you said yesterday that at the end of March 1940, there was a conference at the Reichschancellory, and there Colonel General Halder gave you, as a reason for the intended attack on Yugoslavia, several points during that conference. You mentioned first the elimination of danger to the flank; second, the rail line to Nish; third, the fact that in case of attack against Russia the right flank would be free to move. Were the reasons for this attack not different ones? Weren't there reasons which were more important than the ones you mentioned?

A I don't know of any others.

Q As to this attack upon Yugoslavia, shouldn't that also be done to relieve the Italians?

A Yes, of course. That was the initial reason why an operation against Greece was considered, and therefore that menace to the flank had to be eliminated.

Q Wasn't there at that time some concern about cooperation between Yugoslavia and Greece, which would have put England into position to land on the Greek coast and receive a base for operations against Roumania?

Q Yes, but it would also have made impossible the attack Case Barbarossa, which would have been menaced on its right flank and stopped.

Q I have received different information. In the decision to attack Yugoslavia the Plan Barbarossa did not play the important role which you said it did.

A Even Barbarossa was absolutely impossible if the area of Greece and Serbia, after reinforcement by the British landing, would have fallen into the hands of the enemy.

THE PRESIDENT: This is a good time to recess.

(A recess was taken.)

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THE PRESIDENT: I am told that if the interpreters use the words "question" and "answer" before the question and answer it assists the shorthand writers and the press. Therefore, the interpreters can continue to say "question" and "answer" before the question and answer is given. That only makes it more obvious that the real remedy for the difficulties which arise is in counsel and witnesses pausing after the question has been asked and after the answer has been given, and it seems to the Tribunal that counsel and witnesses ought to be able to hear when the translation of the question has been given, and the witness then give his answer. And when the translation of the answer has been given, which counsel can hear, he should then put a further question. Is it clear what I mean?

QUESTIONS BY DR. LATERNSER:

Q Witness, we were discussing just recently the attack on Yugoslavia. If I understood you correctly, you said that this attack had to be carried out before the Case Barbarossa was made operative, as in any other case there would have been a serious threat to the flanks. Did I understand you correctly?

A Yes.

Q You said yesterday that the collapse or revolution in Yugoslavia was thecause for Hitler's attack on Yugoslavia. Do you know where these plans for that attack existed before the revolution in Yugoslavia? Do you know, furthermore, that particularly the plan of attack against Yugoslavia came at a very inconvenient moment, which was the reason that a delay of the attack against the Soviet Union occurred?

A That is exactly what I said yesterday. It caused a postponement of the attack, which had originally been planned for the middle of May, if weather would permit, and this delay became necessary.

Q But then there is a sort of controversy here, isn't there? You say the attack against Yugoslavia took place in spite of the fact that the question of the attack came into play?

A I don't see any contradiction in that. As far as I saw the situation, it was that the old Yugoslavia government had made an agreement which placed at the disposal the railway line from Belgrade to Nisch, and

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that after that agreement was concl ed a revolution took place in Yugoslavia which made a policy of a different kind probable. Therefore, one would come to the assumption that this plan of attack would be necessary to eliminate that danger. In other words, I do not see that the decision to attack Yugoslavia, and the consequence that Barbarossa would be delayed, -- does not contain a contradiction. I merely see that one is a condition for the other.

Q Witness, were you present at a conference of the General Staff in February, 1941?

A Yes.

Q Are you aware of the fact that at that time the strength of the Soviet Russian troops was estimated at 100 infantry divisions, 25 cavalry divisions, and 30 mechanized divisions; that that strength was reported by Major General Halder?

A I cannot recollect that at all. Nor am I sure whether Colonel General Halder was actually present during that conference.

Q But witness, such a conference must have been an unusual one?

A Yes.

Q And I believe that that conference must have given everyone who was present the impression that there was a very strong concentration of troops on the Eastern front?

A I myself have no recollection of any such impression.

Q At the beginning of that attack against the Soviet Union, were you OK-1?

A Yes.

Q As far as I have in the meantime been informed, it is part of the tasks of that service department to make positive suggestions regarding military operations; is that correct?

A That was the case when it was possibly differently arranged, but when I was in that Department 1 I did not get that task as part of my job. The operational department was not under my control but immediately under the control of the Chief of the General Staff. The General Staff Department, first of all, gave me the task of running the training department and then the organization department, and that was in Autumn 1941. There-

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fore, it was not part of my sphere of activities to make suggestions to the Chief of the General Staff regarding operations which were in progress. I merely had to carry out the tasks which he gave me.

Q Witness, can you give information on the subject of how German prisoners of war were treated in the Soviet Union?

A That question, about which such an incredible amount of propaganda has been made, which led to the suicide of so many German officers at Stalingrad -- officers and men -- on that question. I felt it my duty --

THE PRESIDENT: Cross examination is the questioning on questions which are either relevant to the issues which the Tribunal has to try or questions relevant to the credibility of the witness. Questions which relate to the treatment of prisoners in the Soviet Union have nothing whatever to do with any of the issues which we have got to try, and they are not relevant to the credibility of the witness. The Tribunal, therefore, will not hear them.

DR. LATERNSER: Mr. President, may I give a reason why I ask that question? May I make a short statement?

THE PRESIDENT: Yes.

DR. LATERNSER: I should like to put that question for the reason that I could ascertain whether, in fact, treatment of prisoners of war -- how it was actually handled, so that a large number of German families, who are extremely worried on that subject, could in that manner be given information on the subject, so that their worries would decrease.

THE PRESIDENT: The Tribunal is of opinion that that is not a matter with which the Tribunal is concerned.

DR. LATERNSER: I have no further questions to ask the witness.

QUESTIONS BY DR. FRITZ (Counsel for Defendant Fritsche):

Q Witness, do you know the Defendant Fritsche?

A Yes, I do.

Q Are you aware of the fact that during the Summer and Autumn 1942, he was with your Army?

A Yes.

Q Witness, in the course of this trial, a number of matters deal with the OKW, which I believe you remember having been brought up. One of the imprisoned commissars of the Russian Army had to be shot. Are you

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aware of that order?

A Yes. It came to my knowledge.

Q Do you recollect that the Defendant Fritsche, because of his duty in the East, became aware of or got knowledge of that order; that he made a proposal to you and your second in command, according to which that order should be canceled as far as your sphere of activity was concerned?

A I cannot recollect that incident. I think it is perfectly possible that Mr. Fritsche did discuss that question with the Supreme Command of the Army, but when I took over that army on the 20th of January, 1942, that order was not carried out in my zone. As far as I know, this order, which in practice did not become operative, was in fact canceled later on.

Q Perhaps so as to refresh your memory, I might ask another question: Do you recollect, perhaps, that Fritsche suggested to

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to you or your 1-C officer to distribute pamphlets with a corresponding content in Russia?

A I certainly can't recollect that, but I consider it perfectly possible that such a discussion with the 1-C officer, who was responsible for that sort of thing, took place.

Q Then one last question: As far as you know the type and character of the Defendant Fritsche, would you consider it perfectly feasible and probable that he did make such a proposal?

A Yes, indeed I do.

QUESTIONS BY DR. SERVATIUS (Counsel for the Organization of the Political Leader Staff):

Q Witness, in your position you supported Hitler right to the very end, in spite of the fact that you knew the full truth that aggressive war was conducted. How far could the political leaders know of this?

A I can't give you an answer on that question, merely because I had no knowledge of it.

Q What do you understand are the political leaders?

A May I ask another question in return? What does the Defendant's Counsel understand by political leaders, since you want me to understand your question?

Q Witness, the organization of the Party doesn't seem to be clear to you. There is an organization of political leaders which is indicted in this trial. They are meant to be declared criminal; that is, the Reichsleiter and Blockleiter, which may be punished because of their participation in the conspiracy to all the acts which are being tried here. That organization of political leaders is composed in such a way that 93 percent are local group leaders with their staff and subordinates.

THE PRESIDENT: I don't think you can ask this witness about this. He doesn't know anything about it. He is not concerned with the charge against the political leadership. I don't think that is proper cross examination at all.

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DR. SERVATIUS: Mr. President, I was going to ask him how far these political leaders might have had knowledge, and then I was going to ask a second question, whether he would be aware that he, as a witness, in his capacity, has contributed materially that these people, political leaders, supported Hitler because they believed in that body which he himself --

THE PRESIDENT: He has already answered you "I had no knowledge of the state of knowledge of the political leaders."

DR. SERVATIUS: In that case I have another question. I am also appearing for the Defendant Sauckel, who was responsible for the labor.

Q Have you any knowledge whether German prisoners of war were used in Russian armament industries?

A I have no authentic or personal information on that subject. The prisoners of war whom I have seen myself were in camps where I myself was detained, and they worked for the immediate requirements for the camp or in the near vicinity of the camp. They worked in agriculture or in the forest on forestry, and I have gained knowledge of the fact that German workers who volunteered and had formed groups were working in industry, and that they were proud of the result of their work. But in particular in which branches of industry these people worked, that I am afraid I have no knowledge of.

DR. SERVATIUS: Thank you. I have no further questions to put to this witness.

QUESTIONS BY DR. KUBUSCHOK(Counsel for the Reich Government):

Q Upon this statement made by you yesterday, which has already been discussed once more today, namely, how far the knowledge of individual members of the German government regarding decisive resolutions would go, I gathered from your reply that the Reich government did not, as far as their individual personalities were concerned -- could not be regarded as one homogeneous, whole body. In this trial the difficulties repeat themselves regarding the fact that normal conditions are presumed. In particular, one is continuously under the impression that most important political and military decisions are, as is usually the custom, made by

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the body of the whole of the government or originate from the whole of the highest military departments, that is to say, that they are made by a number of high ranking persons who decide these resolutions. Is that, witness, on the strength of the knowledge which you have gained in your high military rank, also applicable to the government of Adolf Hitler? In his personality, has he ever discussed questions like that politely? Is he not a man of an unusual type, and has he not employed a completely different procedure? Is it right to say that he always made his own decisions independently, or that, if anything, he made these decisions in consultation with very few immediate assistants, and that, consequently, we have here a case where leading personalities of a political and military nature had no knowledge of impending events?

A This is the way I shall answer it: As far as my military employment is concerned in the General Staff of the Army, it would be wrong to say that that gave me an inside into procedure of the German government. I just didn't have such an inside. On the other hand, I imagine that under the what you call "Gremium of Reich Government", I imagine that to be a group of people who, no matter what the head of the state decides to use as methods, would be feeling responsible towards the people for what is being decided by the head of the state, so that even if the head of the state in such a case even exceeds his own brutal way of deciding on them, they would concur with whatever decisions he makes, and that they would not, as they should, take counter-measures for the welfare of the people. That should have been done at the latest at a time when the whole world must have been aware that such a government was a criminal one and heading for world disaster.

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Q Mr. Witness, you belong to the second circle of people which I mentioned. It is an established fact that that second circle had interfered. In that connecti on, there must have been important reasons which were the cause. I believe thatit would be better if, as far as other personalities are concerned, you would not pass judgment, but answer my questions as far as actual facts are concerned.

My question was whether, according to your knowledge, not only in your military position, but also according to the knowledge which you gained in an exposed and leading position -- whether this was right or wrong is unnecessary for establishing the fact -- you knew that the methods in military and political matters were such or whether they were not. Were resolutions made by using a large body of military and political personalities who met and passed these resolutions, or were decisions made and these resolutions passed in a very much smaller circle of people, probably sometimes only Hitler alone?

A How decisions of the Reich Government were made is something which, as I have already said, is unknown to me. As I said in my previous reply, I have merely given you my basic conception regarding your question, and I thought that in that manner I had answered it. I cannot imagine that one man alone could have done everything that was done. After all, to exert his influence in a small circle he needed the cooperation of his immediate assistants. It was, in other words, quite impossible to act otherwise.

Q As to the cooperation of the next immediate experts, do you believe that certain expert ministers, say, for instance, a labor minister, a man who was a trained expert, were asked by Hitler about plans for aggression?

THE PRESIDENT: Counsel, the witness has already said it is a matter of fact he doesn't know how the decisions of the Reich Government were arrived at, and what he may think about is is really not relevant. He didn't know.

BY DR. KUBUSCHOK:

Q. Have you, Witness, gathered the impression that plans for aggression were made by Hitler many years ago, many years previously, or are you

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of the opinion that they arose from the prevailing circumstances, the intuitive plans which he always stated he had?

A That is entirely outside my knowledge. My observations began on September 3, 1940 and continued from that time until January 1942, and what I observed during that period is something I explained yesterday. As far as the previous period is concerned, I have nothing to say.

BY DR. HORN (Counsel for the defendant von Ribbentrop):

Q Witness, you said just now that you were a member of a body which had the aim of keeping Germany away from disaster. My question is: What possibilities to carry out these intentions were at the disposal of yourself and the other members of that group?

A We had the possibility of making ourselves heard by the German people. Not only after the events of a military nature, but also after the events of the 20th of July, we thought it our duty to make our conception of things known to the German people, our conception regarding the findings and the conviction we had since obtained.

In that connection, the initiative came particularly from the ranks of those who were led by me at Stalingrad. There we experienced how, through orders of those military and political leaders who were appearing at the head of the State, more than 100,000 soldiers died in frost, cold, and snow. There we experienced the terrors of conquering war in large concentrations.

Q Did you have any other possibility apart from propaganda?

A Apart from the possibility of making propaganda through radio and those newspapers which we had created, apart from that propaganda to the German people, we had no other facilities.

THE PRESIDENT: What has the Tribunal got to do with this?

DR. HORN: I merely wanted to ascertain what conclusions I could draw on the credibility of the witness.

THE PRESIDENT: I can't see that it has any bearing on his credibility.

DR. HORN: It is perfectly possible that we have knowledge of other possibilities which were available which the witness has not mentioned.

THE PRESIDENT: The Tribunal is of the opinion that what the witness

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thought or did when he was a prisoner of war in Russian hands has got nothing to do with his credibility, at least so far as the questionsthat you have put are concerned, and they will not allow the questions to be put.

DR. HORN: May I have permission to ask the witness one more question?

THE PRESIDENT: Certainly.

BY DR. HORN:

Q Did you, during the time that you were a prisoner, have an opportunity to place your military experiances in any way at the disposal of anybody else?

A In no way, in no case, and in no connection.

THE PRESIDENT: Then, I understand that concludes the cross examination. Does the Soviet prosecutor wish to ask any more questions?

GENERAL RUDENKO: No, Mr. President.

BY THE TRIBUNAL: (Mr. Biddle)

Q General, you said that when you became Quartermaster General of the Army on September 3 of 1940, you found an unfinished plan for an attack against the Soviet Union. Do you know how long that plan had been in preparation before you saw it?

A I cannot say exactly how long the period of preparation lasted, but I would estimate that it lasted two days to three weeks.

Q Do you know who had given the orders for preparation of the plan?

A I assume that they originated from the same source, namely the OKW via the Supreme Command of the Army, and that the

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Chief of the General Staff had given them the same documents or the same information as myself.

Q. At the conferences on the Plan Barbarossa, how many members of the General Staff and High Command of the German armed forces were present unsually

A. The chiefs of the departments concerned, the Operational Department, the General Quartermaster, Supplies, and the Chief of Transportation. Those were generally the chief departments who participated in that tribunal.

Q. And how many members of the General Staff and High Command of the German armed forces knew of the orders and directions when they had been signed?

A. As time went by -- that is to say, I am now talking about December when the actual marching orders were dealt with -- more or less all General Staff officers had knowledge of the plan. Just how many knew previously, in the indicidual periods, is something which I cannot now give an exact answer to.

BY THE TRIBUNAL (General Nikitchenko):

Q. Witness, did the General Staff of the German Army work out technical questions only; was it an apparatus which worked out technical problems in detail according to the directions from the Supreme Command, or was the General Staff an institution which in itself and by itself prepared plans and presented to the Supreme Command its own considerations?

A. According to my own conception, there was a technically executive body existing. They had the task of carrying out existing instructions.

Q. And in your opinion then, the General Staff was a technical apparatus?

A. That is how it was in practice. The General Staff, as such, was an advisory organization to the Supreme Commander of the Army and not an executiv body.

Q. To what extent was the General Staff conscientiously carrying though the directives which it received from the Supreme Command?

A. I am afraid I didn't quite understand the first part of your questior

Q. How conscientiously did the General Staff carryout those directives which it received from the Supreme Command?

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A. They carried out these instructions in their spirit.

Q. Were there any conflicts between the General Staff and the High Command?

A. That is a known fact, that certain differences of opinion did exist. I said before that I could not give that story in detail. At any rate, I know that my immediate superior had frequent differences of opinion with the Supreme Command of the Army.

Q. Were there people working in the General Staff, officers, who would not agree to the policies which were carried through by the Supreme Command?

A. Political questions did not come to the surface in that connection. Political questions were generally not discussed in the circle of persons in the Supreme Command of the Army.

Q. I am not talking about this in the narrow meaning of the words "political questions." I am talking about the policy of preparation for wars, the policy of aggression, of seizure. That is what I had in mind.

Tell us, if you know it, what that particular part of the Soviet Union occupied by Germans was supposed to be turned into.

A. I never did have any knowledge in detail. My knowledge is restricted to a knowledge of such plans as were contained in the so-called Green Folder for the exploitation of the country.

Q. What does it mean? What exploitation are you talking about?

A. I am talking about the economic exploitation of the country, so that by utilizing its resources one could continue to conduct the war in the West, and furthermore secure supplies in Europe in the future.

Q. And the character of the exploitation was different from the exploitation of the agricultural resources of Germany itself?

A. In that respect I have no personal impressions, since I only led that Army in Russia for three quarters of a year, and I was captured early in January 1943.

Q. Tell us what you know about the directives which were published by the government organs of Germany and also by the High Command, as to the relations between the German Army and the Soviet population.

A. I remember that instructions did appear, but I can't recollect the

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date at the moment. In those instructions, the whole manner of conducting the war in the East, and certain directives were contained. I believe that this principal decree was actually contained in that so-called Green Folder, but there may have been separate and special orders. I believe it expressed the fact that no unnecessary consideration should be shown the population.

Q. What does it mean "not to pay great attention to it" -- or perhaps the translation is not quite correct.

A. That merely meant that only military necessities could be considered in connection with all measures that were proposed.

BY THE PRESIDENT:

Q. Were there any divisions consisting entirely of SS troops under your command?

A. I had under my command no SS troops at all. During the time I led the Army, I have no recollection of any such case. Even at Stalingrad, where I had 20 German infantry and armored divisions and two Rumanian divisions, amongst them there were no SS units.

Q. I understand that the SA didn't form units, did they? The SA?

A. The SA? No. I have never heard of SA units, but of course that there were SS units is a known fact.

Q. And did you have any branches of Gestapo attached to your army?

A. No, I didn't. I didn't have those either.

THE PRESIDENT: General Rudenko, I did ask you whether you had any questions to ask and you said no, I take it.

GENERAL RUDENKO: Yes.

THE PRESIDENT: Then the witness can retire.

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THE PRESIDENT: Go on, General.

MAJOR GENERAL ZORYA: Yesterday I stopped with the question connected with the relations between the Fascist aggressors and the Rumanian aggressors. It seems to me that now is the most opportune moment to make public the testimony of Ion Antonescu, which the Soviet Prosecution has at its disposal. The interrogation of Ion Antonescu was conducted in conformance with the law of the Soviet Union, and the record of the testimony is of exceptional importance in making clear the characteristics of the relationship between Germany and her satellites.

I present Exhibit USSR No. 153. I consider it necessary to make public most of the testimony, beginning with the second paragraph on Page 2 of the record. It is in the document book beginning on Page 63 and 64. I quote:

"Throughout the period when I held power in Rumania, - Ion Antonescu testifies, - I followed the policy of strengthening the links with Germany and used her help for re-training and re-arming the Rumanian army. For this purpose I met Hitler several times.

"The first meeting with Hitler took place in November 1940, soon after I became the head of the Rumanian Government. This meeting took place on my initiative, in Berlin, at Hitler's official residence in the presence of the German Foreign Minister Ribbentrop and Hitler's personal interpreter, Schmidt.

"Discussions with Hitler lasted more than four hours.

"I assured Hitler that Rumania remained true to the previously concluded agreement regarding Rumania's adherance to the 'Tripartite pact'.

"In answer to my assurances of loyalty to the pact with Germany, Hitler declared that the German soldiers guaranteed Rumania's frontiers.

"At the same time, Hitler told me that the Vienna arbitration was not the last word, and by this gave me to understand that Rumania could count on the reconsideration of the decision on Transylvania, previously taken in Vienna.

"Hitler and I agreed that the German Military Mission in Rumania should continue its work of reconstructing the Rumanian Army on the German pattern, and should also conclude an economic agreement, in accordance with which the Germans later on would supply Rumania with Messerschmidts-

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109, tanks, tractors, anti-aircraft and anti-tank guns, automatic rifles and other armaments, while they would receive from Rumania, in return, corn and oil for the needs of the German armies.

"To the question put to me as to whether my conversation with Hitler could be regarded as the beginning of my agreement with the Germans on the preparations for war against the Soviet Union, - I replied in the affirmative.

"This fact Hitler had unquestionably in mind, when developing his plans for the attack on the Soviet Union.

"In January, 1941, I was invited to Germany through the medium of the German ambassador in Rumania - Fabricius, and met Hitler for the second time, in Berchtesgaden, when the following persons were present: Ribbentrop, Fabricius and the newly appointed German Ambassador to Bucharest - Kellinger. Besides these, there were also present representatives of the German armed forces - Field Marshal Keitel and Colonel-General Jodl.

"At the beginning of the conversations, Hitler, in introducing Kellinger to me, emphasized that the latter was his best friend.

"After this, Hitler in describing the military situation in the Balkans, declared that, in connection with the Italian failures in the war with Greece, Mussolini had appealed to him for help, and this he lp he, Hitler, intended to give to Italy.

In this connection, Hitler asked me to allow the German troops concentrated on Hungarian territory, to pass across Rumania, so that they could render speedy assistance to the Italians.

"Having in mind that the passage of German troops through Rumania to the Balkans would constitute an act hostile to the Soviet Union, I asked Hitler how, in his opinion, the Soviet Government would react to it.

"Hitler, having reminded me that, at our first meeting in November 1940, he had already given appropriate guarantees to Rumania, took upon himself the obligation of protecting Rumania with armed force.

"I expressed my fears that the passage of German troops through Rumania might give rise to military operations on the part of the Soviet Union, and that Rumania would then be in a difficult position, as the Rumanian army had not been mobilized, - to which Hitler declared that he would

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give orders for some of the German troops intended for participation in the operations against Greece, to be left in Rumania.

"Hitler stressed, too, that the information at his disposal showed that the Soviet Union did not intend to fight Germany or Rumania.

"Satisfied with this declaration by Hitler, I agreed to permit the passage of German troops through Rumanian territory.

"Colonel General Jodl who was present at this conference, described to me the strategic dispositions of the German army and stressed the necessity for a blow against Greece launched from Bulgaria.

"My third meeting with Hitler took place in Munich in May 1941.

"At this meeting, at which besides ourselves, there were present Ribbentrop and Hitler's personal interpreter, Schmidt, we finally reached an agreement about the joint attack on the Soviet Union.

"Hitler informed me that he had decided on a military attack on the Soviet Union. Having prepared this attack, Hitler said, we must carry it out

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unexpectedly along the whole length of the Soviet Union's frontiers from the Black Sea to the Baltic.

"The unexpectedness of the attack," Hitler went on to say, "would give Germany and Rumania a chance to liquidate, within a short time, one of our most dangerous adversaries.

"On the basis of his military plans, Hitler made a suggestion that I should permit the use of Rumanian territory for concentrations of German troops, and should at the same time participate directly in carrying out the military attack on the Soviet Union.

"Hitler stressed the point that Rumania must not remain outside this war, because, to have Bessarabia and North Bucovina returned to her, she had no other alternative but to fight on Germany's side. At the same time, he pointed out that, in return for our assistance in the war, Rumania would be able to occupy and administer other Soviet territories too, up to the River Dnieper.

"As Hitler's offer to begin the war against the USSR jointly, corresponded to my aggressive intentions, I announced that I agreed, to participate in the attack on the Soviet Union and pledged myself to prepare the necessary number of Rumanian troops and at the same time to increase the deliveries of the oil and agricultural products needed by the German armies.

"Before I and Hitler took the decision to attack Russia, I asked Hitler whether he had any understanding with Hungary regarding her participation in the war. Hitler replied that the Hungarians had already given their consent to take part in the war against the USSR in alliance with Germany. When exactly the Germans had agreed on this with the Hungarians, Hitler did not tell me.

"On my return from Munich to Bucarest I began active preparations for the coming war."

Ion Antonescu finishes his testimony in the following way. I refer to page 67 in the document file. I am quoting the last paragraph of the testimony.

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"After the invasion of Soviet territory, the Rumanian troops under my supreme command rendered great help to the Germans, and in this connection Hitler sent a letter addressed to me with the expression of his gratitude to me and to the Rumanian army. Signed--Marshal Antonescu."

The date of the beginning of Rumanian preparations for war against the USSR is also established by the former Vice Premier, Vice Minister of the Rumanian Government Michael Antonescu, who also was interrogated in accordance with the Soviet laws and whose testimony I present now under the number Exhibit 152. I shall not quote the testimony in detail since it repeats, more or less in the same way, some of the facts that are expressed in the testimony of Ion Antonescu. I shall refer only to several paragraphs. Please refer to page 1 of the Russian text and paragraphs 1, 2 and 5. This is on page 68 of the document file.

"In November 1940 Marshal Antonescu, accompanied by Prince Struza, who was then the Minister for Foreign Affairs, left for Germany, where he had a meeting with Hitler.

"During the negotiations with Hitler, Marshal Antonescu signed the agreement for Rumania's adherence to the Tripartite Pact and received Hitler's promise for the subsequent reconsideration of the decisions of the Vienna Arbitrage, in favor of Rumania.

"This voyage of Marshal Antonescu was the first step towards a policy which afterwards led to a joint German and Rumanian attack against the Soviet Union."

The testimony of the witness Paulus, as well as those of Ion Antonescu and Michael Antonescu enable the Soviet Prosecution to make the following statement.

1. The decision to send to Rumania a Military Mission of the German General Staff for the reorganization of the Rumanian Army, in order to prepare it for the attack against the USSR, was taken not later than September 1940, that is, at least nine months prior

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to the attack on the USSR.

2. By November of the same year, Rumanian war preparations were fully developed.

THE PRESIDENT: Perhaps that would be a good time to break off.

(A recess was taken until 1h.00.)

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Official transcript of the International Military Tribunal in the matter of The United States of America, the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics, against Hermann Wilhelm Goering, et al, Defendants, sitting at Nurnberg, Germany, on February 12, 1946, 1400-1700, Lord Justice Lawrence presiding.

GENERAL ZORYA: Mr. President, at a further stage in my statement I had intended to present to the Tribunal a statement of General Buschenhagen of the German Army. However, I do not intend to do that now as the Soviet Prosecution now wishes to examine this witness here and I would request you to allow me to call the witness for examination.

THE PRESIDENT: You wish to call him now?

GENERAL ZORYA: Yes, it would be convenient, in view of several technical questions.

(The witness took the stand on behalf of the Russian Prosecution)

THE PRESIDENT: What is your name?

THE WITNESS: Erich Buschenhagen.

THE PRESIDENT: Repeat this oath after me.

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(Witness repeated oath in German)

DIRECT EXAMINATION BY GENERAL ZORYA:

Q Witness, will you tell the Tribunal when you were born?

A I was born on the 8th of December, 1895.

Q Will you name your last military rank, please?

A I was General in the Infantry of the German Army. My last position was that of Commanding General of the 52nd Army Corps.

Q Will you tell us please, did you on the 26 of December 1945 sign a statement in connection with a protest?

A Yes, sir.

Q Are you confirming that statement now?

A Yes, I do.

Q Will you tell us, please, what you know about the preparations made

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by Fascist Germany for attacking Russia?

A At the end of December 1940, I was in my position as Chief of the General Staff of the German Forces in Norway. I was called into the OKH, where the Chief of Staff, Colonel General Halder had a conference with the Chief of Staff of the Army Groups and the independent armies, one of which was mine. At this conference we were told that there was a directive from the 8 December, 1940. At this conference, also, we received basic information for the intended operations against the Soviet Union.

From this directive I understood that also, troops of my Army would take part in this operation. Therefore, I was especially interested in one speech, which the Chief of Staff of the Finnish Army, who was there also, made. He spoke at that time about the military actions in the war between Finland and the Soviet Union. He gave us an impression of the fighting value of the Soviet Army and also of the Finnish troops.

General Heinrich, that was the general who spoke, also had a conference with Colonel General Halder, in which I did not take part, but I assume that they were concerned with possible cooperation between the Finnish and German troops in case of a conflict between Germany and the Soviet Union. There existed since the Fall of 1940 a military cooperation between Germany and Finland. The German Air Force had made arrangements with the Finnish General Staff for through traffic through Northern Norway to the Finnish points. This transit traffic, in conferences at Helsinki with the OKW, was extended. It increased to a general transit traffic of the German Wehrmacht from Northern Norway to the Finnish ports.

The German Heeren Office was transferred to the capital of Lapland so that German transport units would be brought to Petsamo. Furthermore, offices for supply were installed along this route and along the railroad which led from North Finland to ports at the Finnish south coast.

In December or January, 1940-41, I had together with the OKW, discussions about details of the participation of troops from Norway, together with Finnish troops in attacks against the Soviet Union.

Q Can you tell me, witness, did you have occasion to negotiate with

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the Finnish General Staff about the collaboration in attacking the Soviet Union?

A I have not understood the last question.

Q Did you have the opportunity to negotiate with the Finnish General Staff about the cooperative attack against the Soviet Union?

A Yes, I did.

Q Tell us, please, who instructed you to negotiate with the Finnish Government and how did the negotiations take place?

A I had orders and authorizations by the OKW, which was the immediate superior of myself and my army. In February, 1941, I received, after the basic facts had been cleared as to the participation from Norway based on Finland, I received the order to travel to Helsinki and to get in touch there, personally, with the Finnish General Staff and to discuss these operations with them, operations based on middle and northern Finland.

On the 18 of February, 1941, I reached Helsinki and on the two following days, I had conferences with the Chief of Staff, General Heinrich, his representative, his deputy, General Airo, and the Chief of Operations of the Finnish General Staff, Colonel Tapola. In these conferences we discussed the possibilities for operations from middle and northern Finland, especially from the area of Kuusamo and Rovaniemi; also from the area of Petsamo, Northern Finland. These conferences led to an agreement.

After these conferences I traveled, together with the Chief of Operations of the General Staff, Colonel Tapola, to middle and northern Finland, to see the areas of Kuusamo, Rovaniemi and Petsamo; to study the possibilities for deployment and supply and for operations from that sector. For these reconnaissance trips the local Finnish commanders were present. The trip ended on the 28 of February in Torneo, on the Finnish-Swedish border, and in a short conference results were laid down about the planned operation from the area of Kuusamo and another operation from the area of Rovaniemi. The operations from Petsamo would have considerable difficulty with the terrain That was the end of my first series of conferences with the Finnish General Staff.

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As a result of these discussions there was worked out by the German High Command of Norway a plan of operations for an operation from these areas. That plan was presented to the OKW for approval. That is where I heard, through the High Command of Norway, the name of "Blaufuchs."

In May, exactly on the 24th of May, I met the Finnish Chief of Staff Heinrich, who had been invited to the Fuehrer's headquarters at Brandenburg and flew with him to Munich, where I had with him and his chief of that section, a discussion in preparation for another conference at Salzburg.

On the 24th there was at Salzburg a conference between the OKW, Field Marshal Keitel, Jodl on the one side and on the other, General Heinrich and Colonel Tapola, at which the basic plans for cooperation between German and Finnish troops were laid down.

After this conference I traveled, together with General Heinrich, to Berlin. There we had further conferences at the Economy and Armament Office of the OKW, as to the delivery of material to the Finnish Army. There were also conferences with the General Staff of the Air Force about the air war and the reinforcement of the Finnish Air Force and its material.

General Heinrich, after these discussions, also had a meeting with Colonel General Halder, in which I did not participate.

For the third time I met, on the 2nd of June, the Finnish General Staff In my statement of the 26th of December I said that this conference took place at the end of April or the beginning of May; that was a mistake. As a matter of fact it took place on the 2nd of June.

At these conferences, which again took place between Heinrichs and Tapola, the details of this collaboration were brought out, such as the time-table, the schedule, measures of secrecy as to the Finnish mobilization and there it was pointed out that the Finnish mobilization should first take the form of reinforcement of the border patrols and military field exercises. Furthermore, it was agreed as to the deployment and organization of the German-Finnish forces; that the main Finnish forces should be under the comman of Field Marshal Mannerheim in the south, together with the German Army Group "North", coming from East Prussia, in the direction of Leningrad and further

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east.

The other Finnish forces should be under the command of General von Falkenhorst at the River Sulujoki. For this army of Colonel General von Falkenhorst there were three directions of attack; a southern group from the area of Kuusamo against the Murmansk Railroad; the middle group east of Kemijaervi through Salla on Kandalaksha and finally, a northern group starting from around Petsamo against Murmansk.

There was complete agreement on all these questions and also there were details discussed about exchange of information, about the use of Finnish means of transportation and by representatives of the Air Forces about questions of air warfare and about the use of Finnish airports by the German Air Force.

After these discussions I returned to Germany to work out the results of these discussions. Then again, on the 12th or 13th of July I flew to Helsinki for the purpose of conferring with Colonel General Erfurt, who was the German Liaison Officer. We met General Heinrich at Helsinki and gave him a memorandum, minutes of the points which we had agreed upon in previous conferences. He agreed to these points, except for a minor detail. Then I turned over my duties as Liaison Officer to Colonel General Erfurt, to resume my activities as Chief of General Staff of the Army in Lapland.

Q I should like to ask you a last question.

If it would not be too difficult for you, would you indicate of what character were these preparations of the OKW and the Finnish General Staff? In particular, was the question of defense taken into consideration?

A All agreements between the OKW and the Finnish General Staff had as its sole purpose the participation of the Finnish Army with the German troops on Finnish territory, participation in the aggressive war against the Soviet Union. There was no doubt about that.

If the Finnish General Staff, to the outside world, always pointed out that all these measures had only the character of defense measures, that was just camouflage. There was, from the very beginning, no doubt among the Finnis General Staff that all these preparations would serve only in the attack against the Soviet Union and all the agreements pointed in that same direction -- the agreements for readiness for attack. Nobody ever expected

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the possibility of a Russian attack on Finland at that time.

Since the operation from Finnish territory could only start eight to ten days after the beginning of the attack against Russia, there were certain measures taken as to security during the deployment of troops but the entire organization of the troops, the entire state of readiness of the troops was one of planning for offense and not defense. I believe you can see from that sufficiently the character of the preparations for attack.

GENERAL ZORYA: Mr. President, I have no further questions to put to the witness.

THE PRESIDENT: Do the French prosecutors desire to ask any questions?

FRENCH PROSECUTION: No questions.

THE PRESIDENT: Does the United States Prosecution wish to ask any questions?

UNITED STATES PROSECUTION: No questions.

THE PRESIDENT: Do Defense Counsel wish to cross-examine?

CROSS-EXAMINATION BY DR. LATERNSER (Counsel for the General Staff and OKW):

Q Witness, in this trial a group of people are under indictment with the purpose of declaring them criminals. Members of this group, to state it shortly, are all the high commanders of the Wehrmacht.

Have you ever had any knowledge before the beginning of the attack against the Soviet Union that an order came out according to which the captured Commissars had to be executed?

A Yes.

Q Have you, concerning this order, had an opportunity to and have you spoken to General von Falkenhorst?

A Yes.

Q What opinion did General von Falkenhorst and yourself have?

A That this was a criminal order.

Q Since you had that opinion I would like to ask you whether, within your army, this order was carried out?

A Practically not.

Q For what reasons was it not carried out? Perhaps because the commande and his chief were of the opinion that

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this order could not be carried out or should not be carried out or because it would not have been practical because, as it is known, the Soviet Commissars fought until the last and in case they were captured, their papers, which showed them as Commissars, had been destroyed before?

For what reason was this order, as you say, not carried out in your army?

A First, because von Falkenhorst and I were of the opinion that we were not in agreement with that order and we let it known to our troops. We found a lot of understanding amongst our commanding generals and second, for the reason that you have mentioned. As a matter of fact, as far as I can remember, there was no Commissar who was captured by us.

Q Witness, do you know any other commanders who, with regard to this order, had the same attitude as you did?

A No.

Q The fact that your answer is no, is that because you have not spoken to others?

A I have not spoken to others because I was so isolated in Norway from other armies that I had no opportunity to speak to any others.

Q Aren't you of the opinion that the greatest majority of high commanders had the same attitude concerning this order as you?

A I cannot answer that because I have not had the information from the others.

DR. LATERNSER: I have no further questions.

THE PRESIDENT: Does any other Defense Counsel wish to ask any questions?

General, do you wish to ask any questions in re-examination?

GENERAL ZORYA: I have no further questions.

THE PRESIDENT: Then the witness will retire.

GENERAL ZORYA: I now have a document which I wish to present to the Tribunal under Number USSR 154, which sets forth in detail the preparations of Rumania for war. I ask you, respectfully, to accept this as evidence. You will find it on page 71 of the document book. I shall now read this document, which is of interest to us.

Pantazi testified:

"Rumania's preparations for war against the Soviet Union began in November 1940, when, in accordance with the agreement signed by Marshal

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Antonescu regarding Rumania's adherence to the "Tripartite Pact", there arrived in Bucharest the German military missions, consisting of groups of German officer-instructors, those for the army headed by Colonel-General Hansen, and those for the air force - by major General Speidel.

"With the arrival of the German military missions in Rumania, the chief of General Staff of the Rumanian Army, General Joanitiu issued an order to the army, on direction of Marshal Antonescu, regarding the admission of German officer-instructors into units and groups, for the purpose of reorganising and retraining the Rumanian forces in accordance with the code of regulations of the German Army.

"At the same time, on Marshal Antonescu's orders, all reserve officers of the Rumanian army were called up for two month's retraining, and underwent instruction under German direction.

"During the period of the re-training of reserve officers, the General Staff of the Rumanian Army developed a plan for calling up into the army, of 12 age groups subject to mobilisation, in case of war, training of all these groups to be done in accordance with the demands of the code of regulations of the German Army, and to be completed by the 1st July 1941. The personnel of the Supreme and Senior commands of the Rumanian armies underwent similar re-training in their respective branches of service.

"In this way, under the leadership of the Germans, at the beginning of Rumania's and Germany's war against the Soviet Union, the whole of the Rumanian Army and Air Force were reorganised and re-trained on the German pattern"

I shall skip two paragraphs which are of no importance and I pass to the second paragraph, which you will find on page 72 in the document book.

THE PRESIDENT: General, in view of the evidence which you have already presented to the Tribunal, the Tribunal is inclined to think you could omit these details of the preparations made in Rumania and go on to the place where you deal with the number of German divisions who deployed on the Russian frontier.

GENERAL ZORYA: This question is of importance.

I refer to page 74 in the document book. This paragraph commences:

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"In this connection, the following units which were already mobilized and ready for action against the Soviet Union, were in February 1941 directed to the frontiers of North Bukovina and Bessarabia on Marshal Antonescu's orders: the 4th Alpine Rifle Division, the 7th, 8th and 21st Infantry Divisions; the Infantry Guards Division, the Cavalry Corps, and another infantry division, whose name I do not recall at present. Besides these, three German divisions selected from the 21 German divisions which were moving to Greece across Rumania, were sent to the USSR frontier ...

I am skipping several paragraphs. On page 73 of your book of documents there is a place marked in pencil:

"In accordance with instructions of Marshal Antonescu in May, 1941, the following were in addition sent to the frontier: the Frontier Division, the Third and First Alpine Rifle Divisions, the Thirteenth Division and an armored division. Simultaneously with these divisionsthe Germans transferred to the USSR frontier seven German infantry divisions. Thus, at the beginning of the Rumanian and German attack on the Soviet Union, there were concentrated on the Rumanian frontier with the USSR twelve Rumanian and ten German divisions, totalling 600,000 men.

The documents which have just been submitted to the Tribunal give grounds for stating that on the directions from the staff of the Fascist conspirators, Rumania's preparations for aggression against the Soviet Union had begun long before they found their expression on paper in "Plan Barbarossa."

Having attacked the Soviet Union, the Hitlerite lackeys expected gratitude from their masters for services rendered. On the 27 of July, 1941, Hitler sent a letter addressed to Antonescu expressing his gratitude to the latter and to his army.

I submit to the Tribunal this letter from Hitler, addressed to Antonescu, as Exhibit USSR-237. In it Hitler writes -- page one of the Russian translation of the letter, paragraph three, page 74 in your book of documents:

"Congratulate you wholeheartedly on this great success -- for me as great a pleasure as it is a satisfaction. The return of Bessarabia will be

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the best reward for you and your armies."

The promises of the Fascist bosses were not limited to Bessarabia.

I beg for permission to return to the conversation of the 12th of February, 1942, between Atonescu and Ribbentrop. This conversation is Document USSR-233. I shall now refer to the third paragraph from the top which you will find on page 61 of the book of documents. The following entry will be found there:

"I reminded Herr Ribbentrop that, at the banquet given by him in Berlin, he raised his glass to a Great Rumania, to which I replied that we entered into an alliance with the Axis in order to create a Great Rumania".

What, then, was this "Great Rumania" to represent, to which the Defendant Ribbentrop raised his glass? This can be seen from the document which I now submit to the Tribunal as USSR Exhibit No. 242. This document is one of Antonescu's letters to Hitler, dated the 17th of August, 1941. I request you to accept this document as evidence, and will read paragraphs two and four of the paper, page two of the Russian translation and in the book of documents, which is in your possession, the corresponding text is at page 68. I quote paragraph two:

"In compliance with the wish of your Excellency, I take upon myself the responsibility for guarding the territory between the Rivers Dniester andDnieper, for maintaining order there, and for its security, in which connection it will only be necessary to delimit.

"In order to secure order and to direct the economic exploitation of the occupied territory, and foreseeing the continuation of war, I consider it absolutely necessary that unity of command should be established.

"I therefore beg your Excellency to give precise instructions defining my rights and my responsibility for the administration and economic exploitation of the territory between the Rivers Dniester and Bug, as well as for the guarding of whole territory between the Rivers Dniester and Dnieper, for the maintenance of order there and for its security.

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"I beg you, your Excellency, to accept my best assurances from your devoted General Antonescu."

Two days after this letter was written, Antonescu appointed a governor of the occupied regions of the Soviet Union, to which he gave the name of "Transistrian" regions.

I present to the Tribunal as Document USSR-295, the testimonial of this governor, George Alexianu, who was taken prisoner by the Red Army. Alexianu, giving details on his nomination, testifies, page two, paragraph two of the Russian text, page 79 in the book of documents, which is in your possession:

"Antonescu said that, in connection with the successful advance of the German Army, Hitler wrote him a personal letter in which he offered to annex to Rumania the Soviet territories captured by the German troops and extending from the Dniester to the Dnieper, and to establish there their own occupation authorities."

On page 80 of the book of documents, the beginning -- third page of the Russian text of the testimonial, Alexianu states that in the summer of 1942 he was present at the Rumanian Ministers' Council, at which:

"Marshal Antonescu, referring to the German and Rumanian military successes, stated, 'It is now evident how well I acted when, as early as November, 1940, I came to an agreement with Hitler on the joint aggression against the Soviet Union.'

However, the generosity of the Fascist Fuehrer, who gave Soviet territories away, right and left, to his vassals, noticeably diminished in the course of the war as the Red Army successes grew.

In front of me lies Hitler's letter to Ion Antonescu, dated the 25th of October, 1943, which I respectfully beg the Tribunal to accept as an Exhibit under USSR-240. Something like two years and three months had passed since the moment when Hitler complimented his Rumanian satrap on seizure of Bessarabia. Quite recently, Antonescu had still been tormented by the question of organizing a unified administration in Zadniestrovye.

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The circumstances and conditions had altered. Hitler now wrote:

"My next request concerns the question of the utilization of Transistria, unhampered and unrestricted by any formal juridical or economic considerations, as the rear area for the Southern Army Group and for Army Group A. And further, I ask you to put at the disposal of the German authorities the whole network of Transistrian railways."

As a very poor consolation Hitler added:

"All these measures have as their aim in the long run, to preserve Transistria for Rumania".

This even Antonescu, who so many times subserviently assured Hitler of his faithfulness, could not endure. On the 15th of November, 1943, he wrote a long reply to Hitler. Without shame Antonescu wrote of how he accomplished the will of his master for the sake of his country.

I present Antonescu's letter to Hitler as Document USSR-239. His letter is dated Bucharest, 14th of November, 1943. I quote, beginning with the second paragraph of the letter, at the end of the sixth page of the Russian text. It is on page 82 of the book of documents:

"As to the regime in the Transdnestric we agree with your Excellency that it is neither opportune nor timely to examine in minor details the problem of this territory as a military zone, a zone of supply, etc.

"I would like to begin by explaining the cause of my anxiety. I do not know whether the truth about the Rumanian participation in the war, from 1941 to the present moment, has always been told to you -- that this war has cost Rumania 300 billions of leis, that during this period we gave Germany more than 9 million tons of oil, thus threatening our national stocks, as well as the deposits themselves, that we are incurring heavy expenses to support the families of 250,000 men who lost their lives in battle.

"Of course, the arrival of troops on the Transdnestrian territory, is, as you say, a shield on the gates of Rumania. Our only desire is that this take place in good order and be utilized in the most advantageous manner possibl

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"As regards the transfer of the Transdniestrian railways into German hands for the purpose of increasing transportation, I beg your Excellency to reconsider this question. In our opinion, this transfer is not indispensable.

"Transdniestrian railways from 1941 to the present day worked well under the Rumanian administration. They always satisfied German demands and their management was always highly appreciated."

I request you to turn one page in the book of documents. I shall now read from page 90 in the book:

"If the traffic capacity of Transdniestrian railways could not still be increased pursuant to the established plan, we cannot bear any responsibility for that. Here, too, we kept our obligations."

And two paragraphs further on, the same page, the following is stated:

"I am sure that our railway administration could carry out the measures necessary in order to improve the railway transport

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and to increase the traffic capacity. Inasmuch as I personally was in charge of the organization of the administration and economics of this district, it would have been a great vexation to me if the administration of the railways were to pass to the Germans, as one could justly say that our incapacity in this respect was the reason of the measure."

There came a moment in the relations between the two aggressors when the former harmony, which had as its source the seizure of land and riches of other nations, gave place to arguments on the question as to who should bear the greater financial responsibility for the losses suffered as the result of the criminal adventure embarked upon by both partners. This is evidenced by the following document, which I intend to submit, and which was taken from the personal archives of Antonescu. I submit it under No. USSR-245. I want to take quite a fair amount from this document, but what I want to read is very important to enable one to realize the relationship of Fascist Germany with its satellites. This document is called, "General Hansen's Meeting with Marshal Antonescu on the 7th July 1943."

As you remember, General Hansen was the head of the German Army Mission in Rumania. I shall read excerpts from this document, underlined in red pencil, pages 92, 93, in the book of documents --

THE PRESIDENT: Would it be possible for you to summarize these documents with reference to Rumania? Because you have already drawn our attention to a considerable amount of evidence with reference to Rumania's participation, General Antonescu's statements and other evidence of that sort. Possibly you would be able to go on then to the question of the Hungarian participation --in Document USSR-294. What you are reading us now really shows the extent, no doubt, of the Rumanian participation, but it is all after the aggression. I thought, from looking at it, that you could possibly go on to USSR-294.

MAJOR GENERAL ZORYA: If the Tribunal wishes, I shall certainly do so.

THE PRESIDENT: I think it would save time and would not detract from the case at all.

MAJOR GENERAL ZORYA: I shall put this document before you in a few phrases, and then I shall pass on to the next document.

THE PRESIDENT: Very well.

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MAJOR GENERAL ZORYA: The sense of this conversation with Marshal Antonescu is absolutely -- is like a trade that went on between two traitors. In the discussion the subject of money was brought in, and war material and human lives. Antonescu, who felt rather uncomfortable - as he had no kind of agreement with Germany - insisted that all the relations of monetary nature and other relations should be accompanied by agreements. He demanded from Germany either ammunitions of war or money and when General Hansen stated that "We have no lei," Antonescu said, "Give us the ammunitions of war."

This document is characteristic of the line that Fascist Germany has taken in pumping various resources from its satellites.

Now, I wish to touch upon the policy which was used by the Hitlerites in dealing with its satellites. I should like to take up the document which relates to Transylvania.

Holding out the Transylvania question as bait, the Hitlerite conspirators managed to obtain subservience from their Hungarian and Rumanian vassals.

I submit, as USSR Exhibit 294, the deposition of Ruskizai-Rudiger, formerely Colonel-General of the Hungarian Army.

Prior to May, 1941, Ruskizai-Rudiger held important posts in the Hungarian Foreign Ministry. Subsequently but prior to September, 1942, he commanded an army corps, following which he became Deputy War Minister of Hungary.

Now, I should like to read the deposition of Ruskizai-Rudiger, relating to the Rumanian question. The part which I want to quote is at the end of page three and the beginning of page four of the Russian text, which corresponds to pages 102 and 103 in book of documents:

"The second Vienna arbitration has assumed the form of a decision of little profit to Hungary. For Rumania, there was reserved the district of Medvesh-Kashermash, where natural gas could be obtained. In the Hungarian political circles this was interpreted as Hitler's desire to insure himself an alliance with Rumania in the war with Soviet Russia. The fact that Hitler considered Rumania a more important ally than Hungary was explained on the grounds that in an eventual war with the Soviet Union, Germany would most certainly need Rumania's southern wing which faces the Black Sea."

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In an official conversation, approximately in November, 1940, the Chief of the Operational Group of the Hungarian General Staff, Colonel Laszlo, told me on the subject the following:

"The second Vienna arbitration has aroused a bitter envy of Rumania in Hungary and it is up to us to obtain advantages from Hitler."

I would remind you that Antonescu said in his testimony given to the Tribunal, when speaking of his negotiations with Hitler:

"In November 1941 Hitler told me that by the Vienna arbitration, the last word had not been spoken, thereby giving me to understand that Rumania could still count upon a revision of the solution previously adopted as regards Transylvania."

However, soon after, whilst visiting Budapest, the Defendant Ribbentrop expressed an entirely opposite point of view. I will present to the Tribunal three documents concerning the attitude of Hitler, Ribbentrop and Goering under these circumstances.

I offer in evidence Document USSR-235, being the minutes of a subsequent conversation between Antonescu and Hitler, which took place on April 3, 1942. This is on page 1516 of the book of documents. I will quote some excerpts from this document, page three of the Russian translation, page 113 in the book of documents.

"I (Antonescu) reminded him (Hitler) that the Hungarian statesmen did not hesitate to declare openly in Parliament and in the press (after Ribbentrop's visit to Budapest) that should they intervene (that is, should they send their troops) Transylvania would belong to Hungary. These rumors circulate, and they greatly demoralized the Rumanians. Hitler gave me his word of honor, that such promises had not been made and could not have been made, that this did not correspond to the actual facts."

In this way, Hitler juggled with promises to encourage the satellites.

(A recess was taken.)

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The next document which I will submit to the Tribunal is Exhibit USSR-183, which concerns the Transylvanian question, and the defendant Ribbentrop. It is the record of conversation which took place between Antonescu and Von Doernberg, Chief of Protocol of the German Ministry, and which took place on February 10, 1942, on the frontier. I am asking the Tribunal to accept this record as evidence. The origin of this document is the personal archives of Marshall Antonescu, which was received by a unit of the Red Army during their offensive. I do not think it is necessary to read this whole document. However, if required I shall limit myself to only several excerpts. Will you please open your document book on page 116, where there is a record of the conversation that took place on 10 February 1942. I quote:

"Von Doernberg introduced the subject of the order of "Charles I" which Ribbentrop was claiming for himself through various German Official channels in our country, as well as through the Rumania offices accredited to the German Government."

I skip to the next page, page 117 of the Document Book. I quote:

"I told Herr von Doernberg that I would not be able to grant this award until Herr von Ribbentrop at the first opportunity would make a public declaration to Rumania (about the Transylvanian problem) which would bolster the faith of the Rumanian people, in its struggle for the cause of justice, and its legitimate claims in Europe of the future. I would, therefore, grant him this award on condition that this would be made public only after such a declaration had been made by him.

"Herr von Doernberg asked for time to consider the matter. Next day, before leaving the railroad car, he asked me to hand him this decoration, telling me that von Ribbentrop wanted it, and requesting me not to tellRibbentrop about our conversations he had promised to make the award public only upon the fulfilment of my conditions. Upon this condition, I gave him the decoration, without however, handing him the corresponding certificate."

And so Ribbentrop (interruption in procedure) was ready to disclaim his Budapest statement on receipt of the Rumanian Order.

I have also at my disposal a record of a conversation between Antonescu and Goering. If the Tribunal will refer to page 118 in the Document Book.

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Unfortunately, of this document discovered together with other documents in Antonescu's personal archive, already mentioned by me, there is no date. We are submitting this document the same as it was. I am submitting it as USSR-238, and I am quoting only one excerpt. I quote: "During the conversation at Karinhall, Marshall Goering was very reticent to discuss the problem of Transylvania. On the way there in a car, he said to the Marshall", that is, to Antonescu, "After all, why do you quarrel with Hungary about Transylvania, which in itself essentially is more German than either Rumanian or Hungarian." Unquote.

On this occasion we may, prdsumably, admit that Goering had expressed the viewpoint of the Fascist Conspirators on the Transylvania problem with a sufficient degree of truthfulness. At present with a view to concluding the clarification of German's mutual relations with her vassal, Rumania, I should like to pause on the subject of crude oil. Now Rumania in this field was one of Germany's principal suppliers. That even during the war the Hitlerites had pumped crude oil out of Rumania by all possible means. Antonescu refers to this in one of the letters that have already been quoted.

I shall submit now two documents which sufficiently treat this question on what it meant to Germany, and how significant it was considered by the Hitlerites themselves, as USSR Exhibit No. 224; and I submit here an urgent telegram from the defendant Keitel, addressed to Marshal Antonezcu, and receiv by the latter on October 31, 1942. I shall not mention it in detail. That this document also was taken from the personal archives of Antonescu, the same as the next one. I make this telegram public in that I ask you to admit it as evidence. "Urgent telegram transmitted via the German Mission". On page 119 of the Document Book.

"To Marshall Antonescu.

Your Excellency,

In the name of the Fuehrer I approach Your Excellency with a request for your personal intervention in the matter of acceleratin the delivery of the maximum possible quantity of fuel to the Italian Fleet, which is essential to the latter for the conduce of their military operations in the Mediterranean. Due to the absence of means of supply, the situation in North Africa has become

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extremely critical, and the transport both of Military and food supplies depends entirely on the possession of the necessary quantity of fuel to Italy. It is for the exclusive use of the fleet called upon to hold important positions in the Mediterranean. I have chosen the path of the direct appeal to you because I am sure that your personal intervention will expedite the provision of the necessary help.

Devoted to you, Keitel, Fieldmarshal."

I want to submit to the Tribunal Antonescu's reply-wire to Keitel and I submit this document as Exhibit USSR 244-A. Please refer to page 120 of the Document Book.

THE PRESIDENT: Is it necessary to quote this document here?

MAJOR GENERAL ZORYA: I can summarize it in two sentences, the contents of that wire, to increase to the maximum the quantity of crude oil to Italy, which was Antonescu's reply in his wire addressed to Keitel; that the pledges of fuel or everything that was asked by Germany's order was given, and nothing else can be given to Germans but what was in question. If something can be accepted from the internal market, then perhaps in some way Rumania will be able to help German allies, and in general she asked General Keitel to accept his expression of loyalty and full respect in giving of any crude oil, and he signed, "Marshal Antonescu."

I want also to remind you, Your Honors, that October and November 1942 were the months when Rommel's fate was being decided in North Africa, and when the Red Army was barring the Germans way to the Grozny and the Baku oil on the frontiers of Mozdok. It is obvious that the Germans did not have sufficient crude oil.

I shall quote one part of the notes of a conversation which took place on February 12, 1942, as a conversation between Antonescu and the defendant Ribbentrop, and has not as yet been quoted. The record of this conversation had been previously submitted to the Tribunal as USSR-233. I ask you to refer to the end of page 61 and page 62 of the Document File, which corresponds to page 4 of the Russian text, or document, with the following lines which are in this document, in reply to Ribbentrop's mention of the crude oil question,

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Antonescu stated: "Regarding crude oil, Rumania contributed the maximum which it was in her power to contribute. She can do no more. The only way out of the situation will have to be the seizure of the territories rich in oil." One should note here that Antonescu was not original in his desires for the seizure of other people's territories rich in oil.

I am asking Your Honor to refer to page 129 of the Document Book. There is one document which is from the personal office of the defendant Rosenberg, which I quote, as formulating the German opinion on this subject. I submit this document to the Tribunal as USSR-58, and I ask for it to be submitted as evidence. In July 1941, the defendant Rosenberg in the following way formulated the German opinion on this question, page 122 in the Document Book:

"Germany's interests consist in creating a stable position in the entire Caucasus, thus securing the safety of Continental Europe, i.e. securing for themselves the link with the Near East. It is only this link with the oil fields that can make Germany and all of Europe independent of any coalition of maritime powers in the future. The aim of German Policy is to control the Caucasus, and the adjoining lands to the south, both politically and militarily." Unquote

Will you please refer to page 124 in the document book, and also to page 4 of the Russian Text document. The same idea is formulated there by defendant Rosenberg with extreme clarity: "The German Reich must take all petroleum in its hands."

Your Honor, if you will permit me the opportunity to characterize the mutual relationship between Germany, the fascist conspirators, and their other satellites, inasmuch as the witness, Mr. Buschenhagen gave conclusive testimony on this question, and that the Tribunal probably already has certain ideas on this question, I just want to remain the Tribunal that in accord with Article 3 of the second variant of the Plan Barbarossa: "Finland will have to cover the advance of the German landing group 'North' (Units of the XXI group) which is due to arrive from Norway, and then to operate jointly with that group. It will also be Finland's task to liquidate the (Russian) forces at Hango."

I shall also permit myself to remind the Tribunal that the American Exhibit C-39, in regard to the Barbarossa time schedule, on the question of t

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participation of Finland in the war is mentioned in section 2, where I have mentioned already it was stressed, as on page 57 of the document book, the preliminary negotiations with the Finnish General Staff have been under way since May 25th; and on page 57, at the beginning, I would like to call your attention, if you will permit, to the following paragraph out of the same document:

"It is envisaged to transport from the Fatherland to Norway the 10th security division, 18 batteries of artillery, and to transport to Finland 1 reinforced infantry division with army corps units. Out of these units, 1 infantry division, 2 mountain divisions, and the SS combat 'North' are designated for the case 'Silver Fox'.

It is planned to bring by rail, through Sweden, another division for the attach on Hangoe."

I believe I have there a note with the date of May 25th, at the beginning of negotiations with the Finnish General Staff; that is, on May 25, 1941, mentioned in the time table Barbarossa, is not the exact date to furnish. It is incorrect as the exact date for the purpose to confuse the true nature of this preparation for aggression, to present it under the guise of the preparation for so-called "Preventive War."

In the quotation given, in addition to the testimony of the witness Buschenhagen which was given to the Tribunal, I shall now present the original under USSR, No. 229, the deposition of the former Colonel of the German Army Kitchmann. I ask that the original be accepted as in evidence.

Kitchman held the office of military attache' in the German Embassy at Helsinki since October 1941. Here is what he testified to on the question, if interested, and you can find this clause on page 130 in the Document File Book It is a very short quotation:

"A long time before the 22nd June 1941, the German Government and the High Command of the German Armed Forces carried out secret negotiations with the Finnish Government and the General Staff of the Finnish Army and made join preparations for the attack on the Soviet Union.

I learned about the preparation for the attack on the Soviet Union by the Ger and Finnish Armies under the following circumstances. On my arrival at Helsin in October, 1941, as Deputy of the German military attache!."

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I had numerous conversations with Major von Albedill who is aide to the German Military Attache and was formerly on duty in the Military Attache's Service in the General Staff of the German Army, and he acquainted me with the background on Finland, since Major-General Rossing the Military Attache was seriously ill and receiving treatment at the Miron resort in Tyrol.

"In the course of these conversations von Albedill told me that already in September 1940, Major-General Rossing, acting on an order of Hitler and the German General Staff, arranged a visit of Major-General Talwel, the Plenipotentiary of Marshal Mannerheim, to the Fuehrer's Headquarters in Berlin where he reached agreement with the German and the Finnish General Staffs concerning joint preparations for aggression and for war against the Soviet Union.

"In this connection, I remember that in November 1941 when I visited General Talwell at his headquarters in the neighborhood of Aunosa, he informed me that acting on Marshal Mannerheim's personal order, even as far back as September 1940, he est blished the first liaison with the German High Command on the subject of the joint preparation for the German and the Finnish attack on the Soviet Union."

I ask your permission to conclude presentation of the evidence relating to the relationship between Germany and her satellite, Finland. Inasmuch as I repeat, Buschenhagen's testimony, this testimony of Buschenhagen before the Tribunal has been covered, so I do not have to cover it again.

Buschenhagen's statement disposes of all attempts to assert that the war waged by Finland was a separate war and was dissociated from the war aims of fascist Germany. Finland's entry into the war had been envisaged by the war plans of the fascist conspirators and corresponded to the aggressive intentions of the Finnish rulers.

The Finns, like the other satellites of Germany, waged war in order to acquire entire regions and republics of the Soviet Union.

In USA Exhibit I-221, which is on page 141 of the document book, Hitler spoke at the conference of 16 July 1941, of the Finnish claims to Eastern Carelia and the Leningrad region.

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Rumania and Finland were the two German satellites directly and with full detail mentioned in the plan "Barbarossa".

The part these countries played in the plans of German fascism was determined not only by the desire to utilize their war-potential, which without doubt bore its proper weight, but also by their geographical position as operational bases on the flanks of the Soviet Union.

The documents presented to the Tribunal bear witness to the fact that the inclusion of these countries in the preparation for aggression against the USSR was carefully concealed by the fascist conspirators, just as all the preparations in connection with case Barbarossa were.

The third satellite of Germany, Hungary, is not mentioned at all in plan Barbarossa.

However, this cannot be taken to mean that the participation of Hungary in the aggression against the Soviet Union had not been planned by the fascist conspirators.

I ask permission to refer to the testimony of Paulus, even though he testified this afternoon before the Tribunal.

THE PRESIDENT: You aren't going to give us Paulus' affidavit over again, are you, because we have already had Paulus' evidence in full.

MAJOR GENERAL ZORYA: Yes, his testimony was given by Colonel Pokrovski under USSR 182. That is the record of the interrogation of Paulus by General Rudenko. A copy of this record may be presented to the Tribunal now and, furthermore, it is on page 143 in the document book.

THE PRESIDENT: We have got his actual evidence.

MAJOR GENERAL ZORYA: Yes, but I really need one particular paragraph out of his testimony in order to show connection of the subsequent documents relative to Hungary in connection with the rest of my presentation. It is just a few lines.

THE PRESIDENT: It must surely be cumulative, is it not?

MAJOR GENERAL ZORYA: What was presented to the Tribunal, I could express in my own words in two sentences.

THE PRESIDENT: Is it in any way different from what Paulus already said?

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MAJOR GENERAL ZORYA: Yes. Pardon me! They tell me now this has been already presented by Colonel Pokrovski and I will make a variation. I shall not present it now, and I go on further. I have in mind those paragraphs of the affidavit of Paulus, where he mentioned that Hungary had aims for aggression towards helping Germany and, on the other hand, I want to draw your attention that Paulus said that Hitler, in disclosing his plans, was much more reticent about Hungary than his other satellites, because he considered Hungarians too talkative. Of course, Paulus adds that the essential reason for this was Hitler's desire not to give Hungary a chance to seize the oil lands of Drogobych. Later on, after the start of the military operations, the OKH gave orders to seize this oil district by Germany before the Hungarians could come in. Further, Paulus discloses the scope. That has already been presented by Colonel Pokrovski, so I want to refer to the fact that the testimony of Paulus gives the position and somewhere revealed the relations between Hungarian and German aggression.

In connection with this, I consider it is necessary to return to the deposition by Ruediger which has been presented to the Tribunal under Document USSR 294.

Dealing with the occupation of Carpatha-Ukraine by Hungary in 1939, Ruszkiciay-Ruediger testified on page 2, paragraph 3 of the Russian text. The deposition can be found on page 101 in the document book. I cite:

"....This had taken place....not long before the outbreak of the German-Polish war. It seemed then as if economic advantages and the escape from the restrictions of the Trianon Treaty were for Hungary the objectives of the occupations.

"But from the time when the region of Carpatho-Ukraine acquired a common boundary with Soviet Russia...this region which we had occupied began to take on a different significance for us.

"It was clear to us, the higher officers, that the political leadership of both Germany and Hungary considered this region also strategically important for future military operations against Soviet Russia."

On page 9 Ruszkiciay-Ruediger tells us of a conference which took place at the end of March 1941, in the course of which the Hungarian Minister

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of War, Warts, outlined the objectives for the war with Yugoslavia. Among other objectives Warta blankly pointed to the necessity of eliminating Yugoslavia as a probable ally of the Soviet Union.

However a more complete picture of the German-Hungarian relationship, which intended the preparation of an attack on the Soviet Union, is contained in the statement by the Hungarian Major-General Stephen Ujszaszy.

From 1 May 1939 to 1 July 1942 Ujszaszy was the Chief of the Intelligence Service of the Hungarian General Staff. In his official capacity during these years he had inside information on the secrecy which shrouded this preparation.

Some of the things which he knows he related to us in the document which I offer in evidence as exhibit USSR-155. I ask you to accept this document as evidence.

I will read into the record that part of Ujszaszy's statement which may clarify the question at iss ue. I am beginning from page 2 of the Russian Text. This corresponds to page 149 of the document book. That is part 2, Preparation of Germany and Hungary for War Against Soviet Russia. Paragraph 1 of this statement. I quote:

"In November 1940, the German Military Attache in Budapest, Colonel Guenther KRAPPE of the German General Staff, was received in audience by the Chief of the Royal Hungarian General Staff, Colonel-General Henry Wert. KRAPPE came with a letter from the Chief of the General Staff of the German Army, Colonel-General Halder.

"In that letter Halder informed Wert that in the spring of 1941, Yugoslavia would have to be compelled, by force if necessary, to adopt a definite position in order to forestall at a later date, the threat of a Russian attack from the rear.

"In this preventive war, possible against Yugoslavia, and certain against Russia, Hungary will have to take part in her own interests.

"Wert replied that he agreed with Halder but added that the Hungarian army was insufficiently armed and at that moment wasnot ready for war against Soviet Russia, Simultaneously, he asked Germany to supplement Hungary's armaments.

"Regarding Halder's letter and this answer I was informed by Colonel-

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General Wert.

"After that, a Hungarian armament commission was invited to go to Berlin. It consisted of leading specialists, officers from the Ordnance Department of the Royal Hungarian Ministry of Defense (Honved) and left for Berlin in December 1940.

The Hungarian requests were as follows:

THE PRESIDENT: General, couldn't you passon to December, 1940, where Field Marshal Keitel invites the Hungarian Minister of Defense to come to Berlin. It is just a few sentences down.

MAJOR GENERAL ZORYA: Yes, I am referring to this:

In December 1940, the Chief-of-Staff, of the OKW, Fieldmarshal Wilhelm KEITEL, invited the Hungarian Minister of Defense, Colonel-General Carl Barta, to come to Berlin in order

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General Wart.

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THE PRESIDENT: General, couldn't you passon to December, 1940, where Field Marshal Keitel invites the Hungarian Minister of Defense to come to Berlin. It is just a few sentences down.

MAJOR GENERAL ZORYA: Yes, I am referring to this:

In December 1940, the Chief-of-Staff, of the OKW, Fieldmarshal Wilhelm KEITEL, invited the Hungarian Minister of Defense, Colonel-General Carl Barta, to come to Berlin in order

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a) to discuss personally the problem of armament;

b) to elaborate a plan of military and political collaboration between Germany and Hungary for the spring of 1941.

This invitation was transmitted to Budapest through the Royal Hungarian military attaché in Berlin, Colonel Alexander Homlok of the General Staff.

At the same time, I received a similar invitation from Admiral Canaris, Chief of the Foreign Section of the "Abwehr" of the OKW. I omit Ujszaszy's long list of the persons who accompanied Barth on his trip and read further - on page 4, line 7 from the top of the Russian text of the document, page 51 in the document book.

"... an agreement was reached on the following:

... In the spring of 1941, the position of Yugoslavia will become clear, the threat of an attack by Soviet forces from the rear will be removed. For this purpose, the Hungarian Konved army will be supplied with field howitzers, modern tanks and armoured cars for equipping one mechanized brigade.

For the war against Russia, Hungary must put at Germany's disposal 15 strategic units including 3 mechanized, one cavalry and one tank units; she must also complete by 1 June, 1941 the erection of fortification in Carpatho-Russia, assist the advance of the German Troops in the areas adjacent to the Hungarian-Yugoslav and the Hungarian-Soviet frontiers and secure the bringing up of supplies through Hungary. The details for the preparation of operations will be worked out later by representatives of the German General Staff to be sent to Hungary.

As a political compensation for her participation in the war, Hungary will receive territory in Yugoslavia and in Russia, the ancient princedom of Galitz, and the foothills of the Carpathian mountains as far as the river Dniestr.

In March 1941 Eberhard Kinzel, a Colonel of the German General Staff, visited Budapest. The purpose of this visit was to make final arrangements for the attack on Yugoslavia.

This is what Ujszaszy has to say in this connection. Page 5 of the Russian text, 3rd paragraph from the bottom. Page 152 in the document book.

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"Colonel Kintzel arrived in Budapest in March 1941, bringing with him a letter from Colonel-General Halder to Colonel General Wert. In this letter there was an insistent demanded by Germany that Hungary was to participate in the probable war against Yugoslavia by the mobilization of the following army corps, First, Second, Third, Fourth, and Fifth Army Corps; and in the war against Soviet Russia by the mobilizing of fifteen strategic units, including two cavalry divisions, two mechanized brigades, and one infantry brigade.

"The letter also announced the imminent arrival in Budapest of the German General Staff mission, headed by Lieutenant-General Paulus, which was to discuss the combined operations and the movement of German troops to Yugoslavia through Hungary.

"Replying to this letter, Colonel-General Wert invited the German mission to Budapest, promised consent to the participation of Hungary in the war against Yugoslavia, and to produce, for this purpose, three Army Corps; that is, the First, Fourth, and Fifth.

"Concerning war against Soviet Russia, he agreed in principle, promising at least to mobilize the Eight Army Corps, Kopitze, as well as the mechanized operational units demanded by Halder.

"Regarding this correspondence, I was informed personally by the Colonel of the German General Staff, Kinzel."

THE PRESIDENT: General, speaking for myself, I can't see that it makes the slightest difference to this Tribunal whether Hungary was going to put one army corps or two army corps or three army corps against the Russians. It is absolutely clear from what you have already read, if we believe it, that Field Marshal Keitel, in December 1940, was demanding that Hungary should put at Germany's disposal, for the war against Russia, certain units. What does it matter if subsequent negotiations alter the number of units?

It seems to me that this evidence which is given is entirely cumulative. It doesn't add anything in the least to what you have already given us, and it seems to me that you could go on to the next document, which is USSR 150. Everyghing up to there is simply the negotiations between members of the German and Hungarian General Staffs as to exactly what units of the Hungarian Army were to be used.

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GENERAL ZORYA: I quite agree with the President that the evidence could be limited so far as the discussion is concerned. But the document which I am reading into the record now, document 155--there is certain information contained in this document, and this information pertains not only to the number of mechanical units which Hungary pledged to give Germany in case of war with Russia, but there is also some indication as to what methods, in the preparationfor war, were being used by the fascist clique in Hungary when they were

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conspiring with Hitler's conspirators. I thought it was necessary to pause on those methods, and that is the reason why I would like to have permission to quote certain passages out of this document.

What I have in mind now, for instance, is classifications, and the mention of how much the Soviet Union was supposedly against Hungary.

You will see, at page 155 in the Document Book, at the middle of page 8 of the Russian text, where Major-General Ujzaszi says:

"Major-General Laszlo, as the chief of the operational group and my immediate superior, ordered the second section of the General Staff to prepare a report that would confirm the presence and maintain, on the Hungarian border, that there are concentrated fourteen Soviet operational units, including eight motorized. This report was prepared by Colonel Cornell Ridai of the Personnel Unit.

"I want to note the fact that the intelligence operations of the second section of the Royal Hungarian General Staff established the presence on the Hungarian border of actually only four Soviet operational units. This circumstance I duly and factually reported to Colonel-General Wert and Major-General Laszlo, but the latter ordered my truthful and factual report to be altered to get what he desired."

Further, Ujzaszi relates the provocative plans of the militarist clique in Hungary, the fulfillment of which involved the creation of an incident for an attack on the Soviet Union.

Ujzaszi states -- at page 10, line 4 from the top of the document, page 157 in the Document Book:

"These plans emanated from Lieutenant-General Fuetterer and his assistant Lieutenant-General Frimond, and Major-General Laszlo. They proposed that, if necessary, the German aircraft, camouflaged as Russian aircraft, should bomb the eastern border districts of Hungary with bombs of Russian origin."

And finally, Ujzaszi describes the last days preceding the attack on the Soviet Union. That is page 11 of the document, page 158 in the Document Book. I am quoting from the middle of page 61 -- that is for the interpreters.

"On 24 June 1941, as far as I remember at 12:30 noon, I was informed

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that the Soviet planes were bombing Raho in Carpathian Russia, and they were strafing, with machine-guns, trains in its vicinity. That same day, after midday, the news came in that Soviet aircraft were bombing Koschitze. The Crown Council, the Regent presiding, met the same evening, and, 'on the basis of Soviet Russia's provocation', decided to declare war on that country.

"I am convinced that those were German planes with Russian markings and insignia. My conclusions are based on the following:

"Lieutenant-General Fuetterer and the German propaganda publicized this bombing too widely and too much.

"Major-General Laszlo immediately gave me orders, through Propaganda Subsection of Section 2 of the Royal Hungarian General Staff, to get photographs of the found fragments of the 'Soviet bombs' and to publish those photographs in the press of the fascist countries.

"Lieutenant-General Fuetterer, Major-General Laszlo, and Lieutenant-Colonel Arimond spread, by a whispering campaign, the rumor that Slovakian pilots who were in the Russian Service bombed Kosice, and successful hits must be explained by the fact that these pilots knew the terrain well."

That is as it was entioned on the 24th of June, 1941, at 12:30 p.m.

We have a document that establishes that long before this moment the participation of Hungary against Soviet Union was decided. This is a document presented to the Tribunal, which is the deposition of Ruskiscai Ruediger, giving the reasons for the Hungarian assault on the Soviet Union. It may be that Tuediger's viewpoint is not shared by everybody, but still, as the testimony of the Vice Minister of War, naturally this statement is of great value.

On page 10 of the Russian text of his testimony, Ruediger states that approximately at the end of May 1941, he received an order to supply, first of all, the troops which were located and concentrated in the Carpathian Ukraine; and two days afterwards a secret meeting took place, a meeting of the Army Corps Commanders, at the headquartersof Colonel-General Wert, Chief of the General Staff. The commanders were informed then about the forthcoming attack onthe Soviet Union.

I quote from the testimony of Ruskiscai Ruediger, at page 9 of the

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Russian text. I am quoting only the underlined passages, in order to save time. I quote:

"General Wert, Chief of the General Staff, briefed us on the military and political situation. It appears that in the forthcoming attack of Germany against the Soviet Union, Roumania and Hungary will take active part on the side of Germany."

Ruskiscai Ruediger further points out that:

"The decision to declare war was taken by the Council of Ministers, after Premier Bardoshy and Minister Barta made their reports, and it was ratified by the Crown Council. The question was not submitted to Parliament. This decision did not produce any surprise, as it was the result of the voluntary military, factual collaboration with Germany which had existed for many years.

"The Hungarian General Staff and the political leadership of Hungary, beginning with the aggression against Czechoslovakia, considered Germany as the mainstay in their plans of revision. Afterwards followed the occupation on Trans-Carpathian Ukraine, and the strategic organization of this region as a military base for an attack on Soviet Russia."

Ujzaszi, in his report, mentioned the German military attache in Budapest, Krappe. The former Lieutenant-General of the German Army, Gunther Krappe, was really the German military attache, in Budapest from November 1939 until 30 April 1941. After that, Krappe was in command of the Tenth Corps of SS troops of the Army Group "Visla", and was taken prisoner by the Red Army units.

I beg the Tribunal to accept as evidence, as an exhibit, USSR-150, a statement made by Krappe in January of this year. It should be noted that the main circumstances mentioned in Krappe's statement coincide with those in Ujzaszi's report.

I shall read only a few excerpts from Krappe's document, at page 4 of the document, and page 165 in the Document Book.

"In October 1940, I was ordered by the OKH to report on the conditions of fortifications in the region bordering Russia, that is, Carpathian Ukraine. The Chief of the Operations Section, Colonel Laszlo, reported to me that so far there were only simple anti-tank obstacles placed from one to two kilometres in depth, and that the construction of the barracks

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for quartering troops had just begun. The necessary surveys for the construction of reinforced concrete pillboxes along the border and the highways would be made during the winter, and in the spring of 1941 it would be possible to start the actual construction. It appeared to be a matter of some 6,000,000 pengo.

"General Ujszaszy gave me permission for an automobile trip through Mukachevo to Ujoksky Pass. The results of the inspection trip and the information obtained from Colonel Laszlo were communicated by me to Berlin. Sometime later Colonel Laszlo informed me that the necessary sums for the building of these fortifications had been appropriated.

In order to save time, I shall briefly express the further testimony of Colonel Laszlo. An agreement was reached with War Minister von Barta to organize military units of the German army. In connection with this a new mission arrived which was charged with the project of communications. At the same time there was received the permission to establish communications system for military needs, and, furthermore, a whole series of German officers were attached to the Hungarian Army in order to exchange their experiences and act as instructors.

"Beginning with December 1940, the industry of Hungary fully turned over to increase German military potential. General Leeb, the Chief of Armament Department, was in charge.

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In concluding the presentation of evidence concerning the building up by the fascist war criminals of an aggressive bloc against the Union Of Soviet Socialist Republics, I consider it necessary to make a few comments of a general order, deriving from these documents.

The actual measures on the part of the fascist conspirators for the inclusion of Rumania, Finland, and Hungary in the preparations for the predatory attack on the Soviet Union began at least in September 1940, when a military mission was sent to Rumania.

The negotiations accompanying military preparations for aggression against the Soviet Union in each of these countries proceeded without difficulties, and in the main they were concluded during the period September - December 1940. The negotiations were conducted by the general staffs of the German and the satellite armies. The subjects of the negotiations in each case were matter. Of a purely military character, such as the reconditioning of the troops, the transportation of military units, the coordination of strategic plans, deciding on the number of divisions needed to attack the Soviet Union, etc.

The character of such negotiations testifies to the fact that there existed between the Fascist Government of Germany and the governments of Rumania, Finland, and Hungary, a mutual consent with regard to aggression against the Soviet Union long before the negotiations began.

And finally, the documents submitted establish that each of these countries in one way or another was promised by the Fascist conspirators some territory belonging to the Soviet Union.

I would now like to point out one more fact.

In order to grasp fully the consequences of the predatory Fascist attack on the Union of the Soviet Socialist Republics, it is not enough to stop at the plan "Barbarossa", or that is a strategic plan; plan for a military attack; plan for commencing aggression. And following it was the so-called "assimilatio and "organisation" of the occupied territories. The plans for the "assimilation" and "organisation", which were plans for the destruction of the civilian population and the plundering of the occupied districts of the Soviet Union, were also made in advance in the same way as the plan "Barbarossa", was made in advance.

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The Soviet Prosecution declares that the documents in the possession of the Tribunal, and specifcally such documents as the "Directives for Special Areas" dated March 13, 1941, U.S. Exhibit No. 447-PS, signed by the Defendant Keitel; "Order for the Application of Military jurisdiction and procedure in Area Barbarossa," dated May 15, 194[illegible], U.S. Exhibit C-50, also signed by Keitel; "Propaganda Directive for Plan "Barbarossa," U.S. Exhibit C-26, and others, represent destruction of not only legal but also moral standards of conduct of the Fascist usurper hordes on temporarily-occupied Soviet territories; this destruction having been premeditated and planned long prior to the attack on the Soviet Union.

Even before the attack on the Soviet Union, the Hitlerites decided and outlined in the appropiate paragraphs of these instructions, directions, and orders the methods of dealing with the civilian population, and the orders and means for plundering the Soviet land and reducing it to a colonial region of the Third Reich.

And when the war broke out and the secret became obvious, the Fascists felt no embarrassment in transferring all these problems to the pages of their press.

I submit to the Tribunal as US[illegible]. Exhibit 59 an article published on the 20th of August, 1942, in "Das Schwarze Korp," an SS paper and organ of the Reichsfuehrer of the SS. It was openly written in this article entitled, "Should They Be Germanised?" - - Page 150 of the document book - -

"The Reichsfuehrer of the SS chose the following slogan for one of the editions of the newspaper "Deutsche Arbeit" devoted to the problems of resettlement in the East.

"Our objective is not Germanization in the East in the old sense of the term, that is, imposing upon the population the German language and the German laws, but to ensure that only people of really German blood inhabit the East."

This negation of Germanization is not new. However, expressed by the Reichsfuehrer of the SS, acting as State Minister for the strengthening of the German nation, it becomes and order. Such is the exact meaning of this order.

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The refusal to Germanize the populations of occupied territories, and the assertion that "The East should only be inhabited by people of really German blood," signified in practice the mass extermination of Soviet citizens, their deportation to slave labor, the destruction of centuries' of Russian culture, and of our cites and villages. I shall confine myself to that which has already been stated, as this theme, or rather these several themes, have been elaborated and will be presented to the Tribunal by my colleagues.

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On June 22, 1941, after lengthy preparations, the German-Fascist hordes crashed on the Soviet Union. 170 divisions, concentrated on the borders of the Soviet Union from the Arctic Ocean to the Black Sea, started the invasion. The military problems of the attack were formulated in the plan "Barbarossa."

"The German armed forces should be ready for a defeat of Russia by means of a fast-flowing operation even prior to the end of the war with England.

"To this end the army will have to utilize all units at its disposal, except those which will have to guard the occupied territories against unexpected developments."

Another version of "Barbarossa" foresaw the necessity of annihilating the Red Army simply to forestall the possibility of the speedy retreat inland of its combat units, and to provide the German-Fascist invaders with the possibility to reach speedily a line of combat which would put the German regions out of the range of the Soviet Air Force.

As in ultimate aim, the plan "Barbarossa" provided for the strengthening of the Astrakhan-Archangel line, the destruction from the air of the Ural industry, the seizure of Leningrad and Kronstadt, and as a decisive finale, the capture of Moscow.

THE PRESIDENT: Would that be a good time to break off?

(The Tribunal adjourned until 13 February 1946 at 1000 hours).